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1913

INVOLUNTARY SERVITUDE IMPOSED UPON SEAMEN

SYNOPSIS OF HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON COMMERCE UNITED STATES SENATE

652
571

SIXTY-SECOND CONGRESS

THIRD SESSION

ON

H. R. 23673

AN ACT TO ABOLISH THE INVOLUNTARY SERVITUDE IMPOSED UPON
SEAMEN IN THE MERCHANT MARINE OF THE UNITED STATES
WHILE IN FOREIGN PORTS AND THE INVOLUNTARY SERVI-
TUE IMPOSED UPON THE SEAMEN OF THE MERCHANT
MARINE OF FOREIGN COUNTRIES WHILE IN PORTS
OF THE UNITED STATES, TO PREVENT UN-
SKILLED MANNING OF AMERICAN VESSELS,
TO ENCOURAGE THE TRAINING OF BOYS
IN THE AMERICAN MERCHANT MARINE,
FOR THE FURTHER PROTECTION
OF LIFE AT SEA, AND TO
AMEND THE LAWS REL-
ATIVE TO SEAMEN

Prepared by the representatives of the seamen and printed for
the use of the Committee on Commerce

COMMITTEE ON COMMERCE.

UNITED STATES SENATE.

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II

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MAR 27 1913

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INVOLUNTARY SERVITUDE IMPOSED UPON SEAMEN.

ABOLITION OF IMPRISONMENT.

EQUALIZATION OF WAGE COST OF OPERATION.

(Pages 55-56.)

MR. FURUSETH. * * * Giving the foreign shipowner the right to ship his men, as he unquestionably has in his own port, to come here, and then giving him the right to use the machinery of the American police and courts to compel the performance of a contract to labor, you are giving to the foreign shipowner a privilege you have refused to your own citizens long ago, and by so doing you are putting a preferential against American shipping. That has been the situation in the past, and if it is permitted to go on will be sufficient in the future to make any competition with the foreign shipowner in the actual ocean trade impossible. If you apply the true American principles of equal freedom, if you apply the system of free soil, making free men, which the Supreme Court, in all probability, would apply if it were taken to it to-day; if you accepted that proposition and that idea, and carried it out, and made the law, as you make it here, applicable to foreign seamen while under the jurisdiction of the laws of the United States, he will have to pay as much for his seamen as you will have to pay for your seamen, and all the discrimination against the American shipowner will fall away.

But it will go further than that. A vessel coming from Europe and staying in New York three days will, in order to secure herself, pay about the New York wages from the European port from which she goes. Who is hurt? The foreign shipowner? Yes. Why is he hurt? He is hurt in something he had no right to. He had no right to a specific privilege over the American shipowner in taking cargoes or passengers out of an American port; and we believe—and our belief is based on years of experience—that this will equalize the cost of operation and will do a little more than that, because the foreign shipowner whose ship is in the United States has his ship in a foreign port, while the American shipowner has his ship in the home port, and any shipowner will tell you that it costs more to do it in a foreign port than in the home port where it is under his own supervision.

(Page 70.)

MR. DOLLAR. * * * Gentlemen, do you understand thoroughly what this means? It means that any contract that a sailor may make in a foreign country is abrogated when he comes here. It is a provision for a breach of contract by any sailor coming to this country. * * * Representing over 3,000 merchants of the Chamber of Commerce of San Francisco, who are not interested in shipping, I protest against the passage of this clause. Outside of the trouble of changing some 21 treaties, causing ill feeling between foreign nations and our-

selves, it will seriously affect the carrying of our products by materially increasing the rate of freight and causing the dear American public to foot the bill, as we will have to depend on foreign ships to move our products in the foreign trade for many years to come.

(Pages 291-292.)

Mr. FURUSETH. May I ask the gentleman a couple of questions to help clear up this matter? Will the gentleman answer the questions?

Mr. LACEY. Yes; if I can.

Mr. FURUSETH. Is it not a fact that any vessels shipping their men in Seattle, regardless of what flag they are under, pay the same wages if they are going either to the Orient or to Europe—that is, if they are bound in the same trade?

Mr. LACEY. If they ship men in Seattle; yes.

Mr. FURUSETH. They pay the same wages, no matter what flag they carry?

Mr. LACEY. Yes; they do now.

Mr. FURUSETH. The second question is this: Those two English lines, the Blue Funnel Line and the other that I do not remember now, having English officers, would be compelled to have English-speaking crews, would they not?

Mr. LACEY. I agree to that; yes.

Mr. FURUSETH. The Chinese that you use on board of your vessels you ship in Hongkong, do you not?

Mr. LACEY. Yes.

Mr. FURUSETH. You ship them under the law of 1884, which permits you to ship them in Hongkong and take them to the United States without reshipping them in the United States. Is not that so?

Mr. LACEY. Yes, sir.

Mr. FURUSETH. The men that you have on board your vessels in the engine-room department, the men that you call No. 1——

Senator BURTON. I should like first to have an answer to the first question Mr. Furuseth asked. If you and the Japanese lines were to ship seamen from Seattle, would the wages be the same?

Mr. LACEY. If we were to ship them in Seattle?

Senator BURTON. Yes. Suppose the Japanese line were to ship seamen from Seattle, would their wages be the same?

Mr. LACEY. I do not see how that could be done, because the immigration laws allow them to land. They allow the Japs to land, but they do not allow the Chinese to land.

Mr. FURUSETH. Do the Japanese vessels carry Chinese crews, then?

Mr. GOULDER. Mr. Chairman, may I make a suggestion?

Senator BURTON. Let us not get this matter too much confused. I should like to have these questions answered one by one.

Mr. GOULDER. Mr. Chairman, may I make a suggestion on that point, whether it hits any of us or some one else—that the questions be presented to the chairman and that the chairman ask the question of the speaker? I think that would expedite matters.

Mr. LACEY. I think I can clear that up in this way: If that became so, Canada is parallel to us. They have as many ports as we have, and as good ports, and those ships will go to Canada if that becomes a fact. They will take their merchandise, as they do to-day, and transfer it from the port of Vancouver into any State in the Union.

(Page 92.)

Mr. FURUSETH. Mr. Chairman, before you go on to that, there was a matter evidently very much misunderstood in Mr. Dollar's statement this forenoon, when he made his general statement. I misunderstood Mr. Dollar, and I presume a great many others in the hall did, with reference to the action of the Chamber of Commerce of San Francisco. For the purpose of clearing up the record I would like to now be permitted to ask Mr. Dollar two questions.

Senator BURTON. All right.

Mr. FURUSETH. Did the Chamber of Commerce of San Francisco declare itself in favor of the abolition of imprisonment of American seamen in the foreign port and foreign seamen in the American port?

Mr. DOLLAR. They did; and I thought I made myself quite plain on that. I will say, further, that the shipowners of the Pacific coast instructed me to take that position here; that they were opposed to any further imprisonment of sailors on American ships, or on foreign ships either.

Mr. FURUSETH. So with that, of course, it goes that you favor the amending of those treaties to the extent necessary?

Mr. DOLLAR. Yes; of necessity.

Senator BURTON. That is all, then?

Mr. FURUSETH. Yes.

(Pages 78-79.)

Senator NELSON. I asked you the general question, without any regard to that bill of fare you produced. Do you mean to say that on those vessels you sail under the British flag, backed up by American capital, you pay the same wages to your sailors and give them substantially the same food as they do on American vessels in the foreign trade?

Mr. DOLLAR. I thought I had made that clear, Senator.

Senator NELSON. Do I understand that to be the case?

Mr. DOLLAR. I am very glad you brought that up. We are running our ships with Chinese crews—our foreign ships—but British certificated officers who are American citizens.

Mr. GOULDER. When you said you paid your men, you referred then to the officers?

Mr. DOLLAR. Yes; I produced an officers' pay roll.

Senator CRAWFORD. But you are not paying your Chinese sailors what you would pay American sailors?

Mr. DOLLAR. No; not by any means.

Senator NELSON. That is one of the reasons, then, why you sail under the British flag, is it not—because you employ these foreign sailors?

Mr. DOLLAR. Yes; that is one of the reasons—only one. There are a great many reasons. Another is, when this rider was put onto the Panama Canal bill a few months ago, that no man owning a foreign ship has taken them off and put his ship under the American flag.

(Pages 300-301.)

Mr. DOLLAR. In the case of the British ships, the principal competitor they have is called the Blue Funnel Line. They are running from England to Seattle, calling at the Chinese ports. They would

not be so much affected, because they could change their crews in Hongkong when they got there; or they could do this: Mr. Lacey is an officer of the Great Northern Co., and I think probably he did not feel that he should tell you as much as he knows. The Great Northern Line has a dock in Vancouver into which they propose to run their steamer. In fact, they are thinking very, very seriously, whether this bill passes or not, of changing the flag, on account of the excessive expense of their vessel. They have a line of track into the dock there all ready to run the *Minnesota* into Vancouver, and carry the freight for Seattle and the American States by rail, as they would do from Seattle. That is a fact; but if this law goes into effect there is absolutely no doubt that they would be compelled to go to the other side, and the Blue Funnel Line will also go to the other side, and both discharge and receive their cargo there. But the aim of this bill to get the Japanese will absolutely fail. They can not be reached.

Senator BURTON. Why not?

Mr. DOLLAR. Because they will retain their own men.

Senator SMITH. Captain, is the new regulation as to the use of the Panama Canal any special offset to that situation?

Mr. DOLLAR. The Panama Canal would intensify the situation very much. There are four steamers in Genoa now that are going to run from Genoa to San Francisco through the canal.

Senator NELSON. Italian ships?

Mr. DOLLAR. Italian ships. They are emigrant ships, Senator. Their course of business will be the carrying of emigrants to San Pedro, San Francisco, and Seattle. They will be terribly handicapped by this new law if it goes into effect. I do not know how they will get out. They, in turn, will have to ship Italian men, sailors and firemen, to take their ships back.

Senator BURTON. Is it not true that Japanese sailors desert their ships now to a certain extent?

Mr. DOLLAR. They can not. The immigration authorities will prevent it.

Senator BURTON. They entirely prevent it, do they?

Mr. DOLLAR. We have to give bond. Any of us carrying Japanese or Chinese have to give bond.

Senator BURTON. Against their landing?

Mr. DOLLAR. For their safe return; and no Japanese is allowed to land unless he has a certificate from his government permitting him to go. On account of the troubles in San Francisco with the Immigration Department, the Japanese Government has refused to give any certificate to its people, except on very, very rare occasions. In fact, Japanese immigration has practically stopped.

Senator NELSON. That was the *modus vivendi* they established after the California troubles?

Mr. DOLLAR. Yes; and that is working quite satisfactorily, because the Japanese Government refused to give certificates. These men are all going to be dumped into our country without certificates, and I do not know what the immigration authorities will do. Of course if they attend to their business they will not permit it; but what are the Japanese lines going to do when they land their men there and can not get them?

(Page 470..)

Mr. OLANDER. * * * I want to tell you the story of the first instance that came to my notice. It illustrates how that condition was remedied on the Lakes. I was in a ship in Conneaut, Ohio. We were in there with a cargo of ore. I think it was the year 1900. Lying across the river was the steamer *Carlo*. I can not remember whether she flew the Norwegian or the English flag; it was one or the other. Her crew were Norwegians.

One evening as I was standing at the rail of my ship I saw two policemen come down with two men carrying their bags; saw those two men taken aboard of the *Carlo*, and I recognized them as being members of the crew of that vessel with whom I had been talking during the day. I saw those men taken aft; saw the mate open their bags, take out a set of overalls and give them to the men; and saw the men go forward into the forecastle. They came up again and handed their shore clothes over to the mate, he taking the bag and clothes into his room and locking them up. I knew then, of course, what was going on. These men, finding that the prevailing wages in the country in which they were working were three times the wages that they were being held at, did not like to continue under such conditions and tried to quit. The law and the treaties governing these questions were brought into force, and they were brought back on board the ship.

* * * I went over on the *Carlo* and asked these fellows what the matter was. They told me, as they had already told me before, of their wage conditions, the food conditions, and the sleeping quarters; both food and sleeping quarters were unspeakable. They said they wanted to get away, but they could not, because the American police were bringing them back. Here was the situation: Here was a vessel in competition with the American vessels, and the lower wage scale of that vessel was being enforced by the American police. I said to those fellows: "Do you think more of your clothes than you do of your carcasses?" They understood me right away. They said, "No; we don't." Then, without telling them exactly what I wanted them to do, I said, "When you go out and reach that portion of the dock I will be there, and if you take the chance I will take it." When they reached that point on the dock, as the boat was going out both men slipped overboard, and I happened to be there and I helped them ashore and they got away. * * * We went among those crews and said, "You ought not to work in this section of the country under the conditions you are laboring under, because you are drawing our condition down and hurting everybody."

(Page 472.)

Mr. OLANDER. * * * We remedied that situation on the Lakes by giving the men an opportunity—we could not give them the right—but we gave them the opportunity to get away, and they got away; and, as a result, every one of those vessels had to go up to the scale of American wages, and to-day I do not know whether there is one of them there or not. There may be one or two of them left. They could not compete with the American ships. When the wage scale of the unlicensed members of their crews had been raised to the American standard the officers' wages, so far as I know, were not affected; the captains' wages were not affected; the American scal

did not apply there. The mates and the engineers remained at their old scale. The cooks remained at their old scale. Simply the unlicensed men were changed, and when they found that they had to do that they quit the Lakes.

Mr. BRITAIN. Will you let me ask a question?

Senator BURTON. I am not asking any questions myself, Mr. Britain, and I think you had better let Mr. Olander proceed.

Mr. BRITAIN. There is just one question on that point. I want to see that we get a clear understanding from him. Do I understand you correctly that your assertion is that this difference in the wages that was the result of these men escaping from their ship was all that led to these foreign ships going out of business?

Mr. OLANDER. I do not know whether that was all; I say, that after that resulted they left the Lakes.

Mr. BRITAIN. But you are not serious when you say that a ship built in a foreign country, which cost only half of what the American ship does, and is paying less wages than the American ship, is going to be put out of business under such conditions?

Mr. OLANDER. I say, that after that was done on the Lakes they went out of business there.

(Pages 231-232.)

Senator NELSON. If the effect of this would be to give those sailors whom my friend gets at Hongkong and other places under the British flag the same wages as our American sailors get, there would be little occasion for American capital for sailing under the British flag, would there?

Mr. GOULDER. That is quite true, as to the cost of running. Now, let us just analyze that for a moment. One of the men most urgent in favor of this bill in the House said—and I can give you the page of the Record—that it would not only permit but induce men who had made contracts in Germany, France, and elsewhere abroad, under the laws of their country, to desert when they came over here, and he was frank enough and manly enough to say it—not break their contracts merely, but desert; that was his language. Then, the foreign ship would have to employ those men here at American wages and on American conditions, and so, he said, that will equalize the wages throughout the world, so far as the vessels that trade with this country are concerned, by requiring every foreign ship that comes here, regardless of any provision of the law of its own country, and regardless of any contract made, to adopt the American conditions and the American rate of wages when it gets here. It never has occurred to me that the Senate of the United States, which has dealt so much with treaties, would for a moment tolerate a thought that the United States of America, or that the Republic of Brazil, or the Republic of France, or the Kingdom of Great Britain would ever arrogate to itself to say that it will repudiate, when people come to its shores, all contracts of all the other countries in the world; and I do not bother much about that.

EFFICIENCY OF CREWS.

MANNING LIFEBOATS—SEAMANSHIP.

(Pages 517-518.)

Mr. FURUSETH. * * * Mr. Brittain said that this bill was drawn because of the *Titanic*. Let me call your attention to something here. This is the La Follette bill [handing chairman bill], introduced in the last Congress and reintroduced in this. It provides for an examination of the men instead of a standard of time service, and it provides for a manning scale instead of, as it is now, leaving the number to the inspector. * * * We started this thing 20 years ago, and we have appeared more or less before every Congress since, and in 1895 we got a little; in 1898 we got more, but not sufficient by any means. The watch-and-watch proposition was in the bill that we submitted to the House in 1896; so it is not a question of the *Titanic*. There had been lots of *Titanics* before the *Titanic*.

(Page 851.)

Mr. FURUSETH. * * * The shipowner has been left to take his vessel to sea with anybody that he could sign. He has done it. Disaster upon disaster has come. We have called your attention to some of these disasters. They are innumerable in which that thing has taken place, and almost in every instance the lack of knowledge and the lack of proper training and experience of the men has been the cause of the disaster. Those who take passage on the steamers, it seems to me, Senators, have the right to know that the men who are to do the work that is to be done there are men who have some skill and experience. As far as the public is concerned, that is the public's interest in it.

(Page 181.)

Mr. LITTLEFIELD. * * * I submit that there is not any sensible reason why, if they want two able men to handle lifeboats, the requirement should not be predicated upon the three departments—the deck hands, the firemen, and the steward's department. I have said that they are equally well qualified. There is not a thing that the deck hands do that leads them to have capacity to handle a boat. They are exercised in the boat; they are practiced in the boat drills; and the firemen can have exactly the same exercise and exactly the same practice, and the men in the steward's department precisely the same.

(Pages 833-834.)

Mr. FLYNN. * * * As far as being competent in a small boat is concerned, the fireman has no way of gaining that experience; he can not learn. The man on deck has the advantage of learning and becoming acquainted with the boats in the freight vessels. The fireman does not have that advantage, and for that reason I say he is not what he is supposed to be in cases of emergency.

* * * * *

Taking hold of a boat and lowering her into the water alongside of a dock, when everything is cheerful around you, into smooth

water is a different proposition from being on the outside in a seaway, or in cases of accident, collision, and the like. The matter of knowing how to handle the turn of the cleat on that davit with 18 people or possibly 20 or 30—whatever the capacity of the boat is for carrying—is a mighty serious proposition to intrust to anybody except a man that has had the experience he must have. He has to be cool and collected, and in cases of that kind, where there is more or less confusion, it is a different proposition altogether from being alongside the wharf.

* * * * *

The constant operating of the vessel alongside of the docks naturally acquaints the men with the different holds to take of the winch ends in lowering away heavy weights and affords opportunity of becoming acquainted with the different terms, etc. All those things, Mr. Chairman, the fireman has absolutely no chance to learn.

(Page 836.)

Mr. FLYNN. * * * It is not alone that, but when you lower the boat into the water it is necessary to know how to fend the boat off from the ship's side, to take her away from danger, and to hold her there. In all of these things there is no use for anybody to say that a fireman can do those things, because he has not had the chance to learn—and I take pride in being a fairly good fireman myself, Mr. Chairman, and I would not make any argument that would throw any reflection upon the men in our organization. But in justice I am arguing this: It has been my contention for years, since I have had this knowledge, that it was not fair to have the public assume that they could be taken care of under those conditions.

(Page 579.)

Mr. DOLLAR. * * * I am also opposed to the latter part of this section, providing that two able seamen or better shall man each boat. It should read two able boatmen who are capable and understand the handling of a boat, as it is an erroneous idea that because a man is an A B seaman he is a good boatman. He may have served years on a steamer and never been in a boat. On the other hand, fishermen or farmers brought up near the water, who have had experience from their youth handling boats, are much better. Recently we took a census of several cargo steamers and found 90 per cent of the crews, including sailors, firemen, cooks, and stewards were able to handle a boat.

(Page 331.)

Capt. HIBBARD. * * * These lists are the result of an actual poll of each crew made by the officer in charge of the department and certified by him as correct.

The result of these lists shows that out of 14 crews, aggregating 327 men in the engine department, 313, being 95.7 per cent of the number employed in that department, are familiar with the handling of a small boat, and of the 403 men in the steward's department 380, being 94.2 per cent of the men employed in that department, are also familiar with small-boat work. No poll has been taken of the deck

department crew, upon the assumption that every sailor is a boatman. While this is not true, they soon will become such by a proper drill, as set forth below.

I believe further that much better results could be obtained by framing a provision in the bill, as in the amended copy, which would provide for frequent boat drills when the ships were in port, in addition to the present fire and boat drill at sea, making it obligatory that every member of the crew should have a chance to practice rowing and the handling of a small boat. * * *

If the provision for this drill is incorporated in the bill it will do more to train up an efficient number of men able to handle lifeboats than any other method which has been suggested, and would do more to safeguard the lives of the passengers on our ocean ships than any other provisions which I have heard discussed in any of the numerous bills which have been presented to both branches of Congress, having in view the question of increasing the safety and comfort of passengers at sea.

(Page 230.)

Mr. GOULDER. Senator Nelson, before we adjourned I went over the question about having a boat drill at sea, and pointed out the panic which would occur on a passenger ship. The boat drill, you know, is of no service under the heavens unless it comes on a sudden, without warning. You take a passenger ship with several hundred people on board, like a hotel with several hundred people, and you give the alarm of fire, or the alarm for a boat drill, in the middle of the night, and anybody can understand what would happen. I know this; I know that in one of those passenger ships if the engine stops a good percentage of the passengers come out and wonder what is the matter. We can not have those panics, and I pass that, because it is so self-evident.

(Pages 278-279.)

Mr. GIBSON. Mr. Chairman, I will certainly be as brief as possible in my side of the testimony.

I want to say that last summer the marine engineers' associations on the Pacific coast had a conference in Portland, Oreg.—this is an annual conference, which is held every year—and among the other matters that were taken up was this Wilson seamen's bill, which was thoroughly discussed and indorsed in its entirety; and, later on, the amendments that were proposed by Senator La Follette were brought up, and they were indorsed; and it was decided to send me to Washington to represent the marine engineers in behalf of the seamen's bill. * * *

I have sailed on all classes of vessels on the Pacific coast, from some of the biggest to the smallest, and I will speak principally, now, about what we call the steam-schooner class, or the lumber carriers. A great many of them run to what are called outside ports, and if any of these gentlemen from the Lakes, or the Atlantic seaboard, think that any man can get into a boat and handle it properly, he is very much mistaken, so far as the Pacific coast is concerned.

In regard to what we term "outside ports," they are ports that are really in the open roadstead. An outside port is a little cove that is in an open place where vessels can load at certain periods.

It is necessary to run lines to buoys to hold vessels away from the rocks. There are generally three lines from the bow and two from the stern—sometimes more, according to the stress of weather.

(Pages 327-328.)

Capt. HIBBARD. * * * The most serious objections to this bill commence with section 12, on page 20. While it does not say so, I presume the real meaning of the bill in providing a language test for members of the crew is aimed at the employment of Asiatics on steamers plying between the Pacific coast ports and the Orient.

Leaving the oriental out of the case entirely the provisions of this bill would make it impossible for an American vessel to ship a crew of the Scandinavian, German, or Latin races.

* * * * *

Another point: You want to issue certificates. What would it look like when we see the German, the Italian, the Norwegian, the Greek, and the Spanish sailors coming to our American inspectors and saying, "I have been three years on board ship in the deck department; give me a certificate that I am an able seaman?" What does our inspector know about the man other than he says he has been there three years. When the German ship comes here and wants a crew, she does not go out with American sailors; no, she goes out with a crew of German sailors. That is a dead shot at the American sailor. He has not a chance on earth.

Another objection to the provision in this section is that commencing at line 15.

* * * * *

This provision, taken in conjunction with the further part of the section which says, "That no person shall be rated as an able seaman unless he is 19 years of age or upward, and has had at least three years' service on deck at sea or on the Great Lakes," while apparently a reasonable provision, is as a matter of fact not such.

I have made 13 trips around Cape Horn in a sailing vessel, and during that whole time I was never in a small boat nor saw one launched from any of the ships I was aboard of, except on one occasion, when a man was lost overboard off Cape Horn. The sea was so rough that we were in the boat five hours from the time we left the ship until we were able to get back to it. If I had known nothing of small-boat handling except what I had learned in my experience at sea, I am quite sure none of us would ever have seen the ship again. As a matter of fact, no one ever learns to handle a small boat by serving on deck of either a large steamer or sailing vessel.

* * * * *

I think Mr. Gibson told you something this morning about the life of a sailor in an outside port, and he told you how much skill they have to have as boatmen, and what he said is true. Those men are engaged for that particular purpose because they have the qualifications that have to do with handling lumber, not with saving life.

Mr. FURUETH. This is what really takes place in everyday life. A boy goes to sea and he sails as a boy for a little while. He sails as an ordinary seaman for a little while and he becomes an able seaman. He goes from one vessel to another, from a smaller vessel to

a bigger vessel, then from a sailing vessel into a steamer, from the steamer back into the sailing vessel and from one steamer into a big ocean-line steamer or something of that description.

Senator BURTON. Is it not true the majority of those on the ocean liners commenced on those liners?

Mr. FURUSETH. No. Take the deck crew of an ocean liner and not one in seven of them has learned his business on an ocean liner. They sail in all other cases on vessels before they sail on an ocean liner and before you will be taken on an ocean liner you must have an able seaman's discharge.

(Pages 838, 839.)

Mr. FURUSETH. * * * Taking the sailors, I mean the deck department exclusive of the officers, about 15 per cent of the sailors under the American flag are engaged in steamers that carry passengers, and by that I mean particularly large steamers—liners.

Continuing the comparison on these big steamers, taking the total of the men in the steward department, in the engineer's department, in the deck department—taking them all throughout, about 25 per cent are in the deck department. Taking the men exclusive of licensed officers, the number of men employed as sailors will make about 15 per cent of the total number of men employed on the steamer, as they are at the present time.

(Page 836.)

Mr. FLYNN. * * * Now, Mr Chairman, is it not only fair, when we are willing without any persuasion at all on anybody's part to go down there and stay there, knowing that the minute we go inside the fireroom door we take our lives in our hands, and that we stay there until the last minute, that it should be expected when we come out of those firerooms that somebody ought to be making the boats ready to take care of us instead of asking us to come up and then try to take care of somebody else?

(Page 392.)

Mr. BRITAIN. * * * The lookouts and quartermasters work alternately, 6 hours on and 6 hours off.

On these ships on duty at night is 1 lookout, 1 quartermaster, 1 deck watchman, 1 saloon watchman, 1 deck officer, 3 firemen, 1 coal passer, 1 oiler, 1 water tender, 1 engineer, 1 waiter, with the captain and chief engineer ready at any time to do their part of the duty.

* * * * *

The lookout stands in the foretop during sailing hours, reporting to the pilot house.

(Page 396.)

Senator BURTON. How long a time do your quartermasters stay at the wheel?

Mr. BRITAIN. Six hours.

Senator BURTON. Six hours on and six hours off?

Mr. BRITAIN. Yes, sir.

(Page 394.)

Senator BURTON. Do they go by express or as ordinary freight?
Mr. BRITAIN. I mean by express—18 miles an hour.

(Page 442.)

Senator BURTON. How about the Spaniards? How long ago did you have Spaniards on as firemen?

Mr. BRITAIN. Not since last May.

* * * * *

Mr. BRITAIN. We did not have Spaniards because we wanted Spaniards, I can assure you, because we had great trouble with them. We have splendid crews of native American negroes to-day.

(Page 514.)

Mr. FURUSETH. * * * Now, I will go back to the testimony of Mr. Brittain. I am sorry that I will have to repeat, but to make it clear it will be necessary to do so. He says:

We run our vessels from New York to Norfolk, express, freight, and passenger, 18 miles an hour. We run from and to railroad terminals and in connection with railroads, making connections with them through fogs, storms, and marine hazards.

Their wheelmen are six hours at the wheel; the lookout is six hours on lookout; the officer is six hours on the bridge; and there is nobody else on deck, because all the rest of the men are in the fore-castle asleep. If that is not tempting Providence, I do not know what it is. I would not have dared to have given that testimony here, Mr. Chairman; I would not have dared to do it, though I knew it to be a fact.

(Pages 545-546.)

Mr. BRITAIN. Mr. Chairman, I have been waiting for some time to correct a misstatement of Mr. Furuseth's this morning, in which he put something into my mouth that I never said. I know he would not do that intentionally, but I want to get the record correct. Mr. Furuseth this morning read into my statement something I never said and which I wish to repudiate. I did say that our Old Dominion steamers made 18 miles an hour, but I never said that we made this speed under all conditions of weather, fog, etc. I might have made such a statement if I were describing an international yacht race or Dick Turpin's ride to York or if I were telling it to the marines, but certainly never when relating it in the presence of sailors.

PASSENGER VESSELS—GREAT LAKES.

(Page 224.)

Mr. GOULDER. * * * They carry a certain number of men to handle freight. They do not take part in the actual navigation of the ship. They would not be required under the inspection department to carry those particular men; but it is good, it is convenient for the business, to have those men go about with the ship.

I could dilate on the reasons. Briefly, the reasons are that they can not fully and totally depend on the shore men under all circum-

stances and conditions to handle all of the freight. There are occasions when it is very much more convenient and saves time and is better for everybody concerned if there is somebody aboard the ship who can do it.

(Page 226.)

Senator BURTON. * * * Why are you not able to operate the ships?

Senator FLETCHER. Yes; that is the question I wanted to ask.

Mr. GOULDER. I will tell you the reasons Mr. McIntire, Mr. McMillan, Mr. Newman, Mr. Cochran, Mr. Goodrich, Mr. Thorp, Mr. Reynolds, and all these men give. They can explain it to you better than I can in a practical way. They say that they have to have their men in port; they sometimes go several hours without doing any work; they have to be on duty practically from the time the ship comes in, subject to call, and on duty from the time the ship comes in in the morning until she goes out at night. If you should rate them off for 9 hours or 6 hours or 8 hours or 10 hours, they are in port 14 or 15 hours, perhaps, say, 14 hours. * * * The men are content. The men are not kicking up any disturbance. They have no trouble in getting men. The men are well housed, they are well found, they are well fed, they are well cared for and well treated, and they are just as comfortable as the men you will find anywhere. There will be, of course, the growler—the fellow who is imposed upon—but, taking it by and large, they are a satisfied lot of men, and we do not have trouble in getting those men.

(Page 228.)

Senator BURTON. Do those men have any training for life-saving service?

Mr. GOULDER. Yes, sir; those men are drilled every week.

Senator BURTON. All of them?

Mr. GOULDER. Yes, sir; and what we want to do here is this: We are going to ask the committee before we leave Washington to make a rigid law on that subject. I want to see a law providing that the boat drills shall be held, and that there shall be no nonsense or monkeying about the boat drills. I want you to put it beyond the power of any owner or labor delegate or captain or anybody else to interfere with that. I want to see a law passed that will compel the captain to have that boat drill, and to engage every male person on board the ship in it, at least twice a month, or perhaps once a week—I do not care about that—or the captain that does not do it will lose his license, and the owner of the ship can not hire a captain who does not do that. Then, if you can find a sensible and reasonable way to make it obligatory on the men to respond to that drill, I want you to do it.

(Pages 473-474.)

Mr. OLANDER. * * * These freight handlers—Mr. Goulder said they carry 40 to 50 on a vessel. That number is altogether too big. There may be occasions when they carry as high as 30; other occasions where they carry a few more; but, as a general proposition, they carry usually less than 20. They are known to the owners of the ships as

freight handlers, described by the attorney for the shipowners as men who have no connection with the ship. On the station bills of a number of the ships those men are rated as sailors, the station bills designating the position of the men in the lifeboats, and they all have a little something to do with the operation of the ships. For instance, it is they who help make the ship fast, who take care of the lines, who run the windlass on almost all of those vessels. * * * That part of the crew regulates itself in this manner; there are from 25 to 40 per cent of those men who quit the ship every day, working only one day. * * * A very large proportion of the crew does not know how to go on the upper deck; they do not stay on the ship long enough to find out. They do not permit them to go on the upper deck unless there is a boat drill. Some of them are of a class that will offend passengers on board by their appearance. Some of the ships carry men as deck hands rated as sailors on the station bill that would not be accepted as common laborers in other callings. Many of the passenger boats recruit their men from Hinky Dink's place and from the worst of what they call "barrel houses" down on Madison Street; and those are the men you are told will make good men in a boat in case of disaster. I do not know of anybody who has given careful investigation to the character of crews of passenger vessels on the Lakes that has not been horrified at the condition that exists there. Those vessels ought to have better crews.

There is one way to get them; that is by letting those men work reasonable hours. As it is now they are up all of the time that the vessel is in and called just before she gets in. If she gets in at 6 o'clock in the morning they have to be called to get the lines down and make the landing. If she goes out at 8 o'clock they have to be kept up a little longer to coil away the lines—it does not take very long, it is true—so that where the vessel is in port 15 hours those men would have to be up 16 hours, working all the time. There is occasion when there is stoppage in the freight coming, but that is an exception. Divide them into watches and the work itself is not so hard but what any sailor will be willing to go at it. As it is now, you never, under any circumstances, see sailors working in that position on board of one of those passenger boats. I have looked for it. Divide them into watches and they will do it. Upon the Lakes the sailors shove lumber; that is harder work than trucking freight.

(Page 636.)

Mr. OLANDER. * * * I want to read from the reports of the Committee on the Merchant Marine and Fisheries, which appears in a hearing held on February 15, 1906. Beginning on page 47 of that hearing, and concluding on page 48, is a letter addressed to Mr. D. C. McIntyre, in care of the Raleigh Hotel, Washington, D. C. This letter is dated Detroit, Mich., February 22, 1906, and is signed, "Detroit & Cleveland Navigation Co., per A. A. Schantz, general superintendent." * * * There is a description of these deck hands in this letter. The description comes from the manager of some steamship lines up there on the Lakes. It says this:

In olden times, when vessels were sailed under canvas, able-bodied seamen were a necessity, but personally I do not believe there are 10 per cent of the men who are called deck hands that can box a compass or splice a line. They are not used in

any way, shape, or form to navigate the ship, but are purely and simply freight handlers. Our personal experience has been that you can not depend upon them at all, as they float from one boat to another. This company attempted last year to have each one of them assigned to a boat, and gave them a badge with a number, thereon, charging them 50 cents for the same, and when they left the boat we would refund the money. We found that 50 per cent of these badges were lost, owing to the fact that the men would leave the boat without redeeming them or would lose them. There is not a day but what there is a change of at least 25 per cent of these men, so they can not be relied upon to be assigned to any lifeboats or to be put in any position of trust.

(Pages 124, 125.)

Mr. FURUSETH. There was one question with reference to those men that you hire for loading and discharging cargo and, according to your statement, do nothing else. I would like to know whether those men are not detailed and made part of your station bill to take care of boats and save passengers in case of trouble?

Mr. NEWMAN. Not necessarily.

Mr. FURUSETH. Are they on the station bill?

Mr. NEWMAN. They have to be.

Senator BURTON. What do you mean by "station bill?"

Mr. FURUSETH. It is a statement on each passenger vessel for segregation of the men on board; so many men to each boat for the purpose of managing those boats. Now, the testimony given by the gentleman was to the effect that these men are freight handlers purely and that they are hired for no other purpose. I ask him if they are not on the station bill as men expected to handle and lower lifeboats, and he says "Yes."

(Page 680.)

CHICAGO FEDERATION OF LABOR—REPORT OF GRIEVANCE COMMITTEE ON PASSENGER BOATS.

[Chicago, Oct. 1, 1911.]

* * * * *

We find that the average crew of experienced seamen on each steamer, exclusive of the captain and two mates, is five. These five seamen are the two quartermasters or wheelmen, two watchmen on most of the steamers (18 steamers out of the 24 have two watchmen, 4 steamers have one such man, and 2 have none. It must be remembered that the watchmen here referred to are not the "cabin watchmen," these latter not being sailors) and one or two lookout men (11 steamers out of the 24 have two lookouts, 12 steamers have one, while 1 steamer uses deck hands for this purpose).

* * * * *

We found no deck hands who even claimed to be sailors. In most of the passenger steamers these men are simply freight handlers who are carried from port to port by the steamer to load and unload cargo. They do not stand any watch while the vessel is out of port, that being the time they sleep. They are of the type commonly called "tramps," seldom work more than a few days on a vessel at one time. Their working hours are long, wages low, accommodations and food bad. Their meals, such as they are, are served to them on the freight deck in tin pans. These men can not and do not remain on a vessel long enough to become familiar with the routine of the ships. Most of them may be described as "down and outs" from various trades and callings.

The committee certainly does not deem such men fit to safeguard the lives of passengers; on the contrary, they appear to be a menace to both ships and passengers.

* * * * *

In conference held at the offices of the Government steamboat inspectors the subject matter relating to all those who patronize the passenger and excursion boats out of this port was discussed. They stated that the evils complained of must be remedied through national legislation and they were powerless to change existing conditions.

(Page 633.)

Mr. OLANDER. * * * I am going to read now from a magazine called the Buffalo Live Wire, published by the Buffalo Chamber of Commerce, the issue of June, 1912.

SAFETY FOR LAKE PASSENGER TRAFFIC.

Transportation and traffic committee originates recommendations—No provision applying to Lakes made by Government—Great increase in passenger traffic.

As a result of the *Titanic* disaster, the question of safety of passenger traffic on the Great Lakes was recently brought to the attention of the transportation and traffic committee. In order to forestall a possible catastrophe, especially in connection with the ferry and excursion boats, the committee agreed that additional safeguards are advisable, and passed the following resolution:

* * * * *
Resolved, That we submit to the board of directors the following recommendations for their consideration in connection with passenger traffic on the Lakes and river:

1. Lifeboat facilities for every person on board.
2. Sufficient crews, not only to man the boat but to protect lives in case of panic or disaster.
3. The Government to supply a sufficient number of competent and well-paid inspectors to enforce the rules and regulations.
4. Some incentive be created for the invention of more efficient life-saving equipment, or adoption by the Government of something that will be an improvement over that now in use.
5. That crews of steamers be made up of men, fully qualified, with proper discipline, to perform the duties required in emergencies similar to that of the *Titanic* disaster.
6. Sanitary condition of crews' quarters should be a matter of attention. Notice of escape. More careful supervision.

These recommendations were referred to the United States Supervising Inspector General at Washington, D. C., and copies sent to our Congressmen and to Hon. Charles Nagel, Secretary of Commerce and Labor, Washington, D. C.

Senator SMITH. What organization was that?

Mr. OLANDER. The Buffalo Chamber of Commerce.

(Page 621.)

Mr. OLANDER. * * * Now, I want to get to the case of the *Pere Marquette No. 18*. * * * She was built for running in the winter-time under the very worst condition.

Senator NELSON. Between what points?

Mr. OLANDER. Running across Lake Michigan.

Senator SMITH. Between Ludington and—

Mr. OLANDER. And Manitowoc, was it not?

Senator SMITH. Yes; to Manitowoc.

Mr. OLANDER. On September 9, 1910, she foundered in Lake Michigan, 27 lives were lost, 32 people being rescued by the *Pere Marquette No. 17*, of the same line, which had responded to distress signals. Two of *No. 17's* crew were drowned in the rescue work. I have here a copy of the report of the United States local inspectors who investigated the disaster.

(Page 626.)

Mr. OLANDER. * * * What I want to call your attention to, gentlemen, is that this vessel, which sank so quickly from a cause that the inspectors have been unable to determine, the evidence showing that even the men on the vessel could not determine it, that the inspectors say ought to have been abandoned almost instantly, foundering on

September 9, 1910, up to within five days previously had been carrying thousands of passengers out of Chicago every day during the entire summer season, and only four or five days separated those people from the deck of that vessel when she went down.

Senator NELSON. This same boat had been carrying passengers?

Mr. OLANDER. Running as an excursion steamer, all that summer.

(Page 630, 631.)

Mr. OLANDER. She had men in the fire hold, who had to keep the steam going; men in the engine room, who had to keep the pumps going; and this idea of everybody going to the boats and getting them ready in case of disaster—there is not anything to that, gentlemen. What happens, when you get a case like that, with the watch below? The engineers are called, but they do not go on deck; they go in the engine room and go on duty there. The firemen are called, and go into the fire hold and help there. The stewards' department is called, and takes care of the life belts among the passengers. In the meantime some one has to look after the boats and at the same time look to see how much water that vessel is making, stay at the wheel, and on the bridge, on the lookout, and to do that between the captain and two officers; there is a total of nine men, all included.

(Pages 607, 608.)

Senator CRAWFORD. Is that volume a report of the hearings?

Mr. OLANDER. No. I have had part of the hearings bound myself, and this letter appears on page 34. It is addressed to the Secretary of the Department of Commerce and Labor. The part of it I want to call attention to is here:

It seems to me also that when local inspectors designate the number of crew required on board it is reasonable to presume that they refer to the number of men required, and that the placing on board of young, inexperienced boys 15 or 16 years old, in some cases less, in positions requiring the strength of grown men, is not complying with the certificate.

Senator CRAWFORD. That is your own letter?

Mr. OLANDER. That is my own letter to the department. The department replies, under date of September 27, 1909, over the signature of Mr. Charles Earl, Acting Secretary, stating, in reference to the particular paragraph I have read, that—

The department does not recall any law which prohibits those under legal age from being members of the crews of vessels of the United States in positions other than those of watch officers, licensed officers, and pilots.

That, really, is the situation. So that, in spite of the fact that they are undermanned, they may put children aboard of them.

SHORT-TRIP EXCURSION STEAMERS.

(Page 450.)

Capt. CULLIN. Different sections of the country have been touched on, and nearly all classes of boats with the exception of our bay steamers, which will come in if this law is enacted, and I would like to protest against that part of the bill affecting the bay steamers.

Senator BURTON. First give your general protest, if you will, and then show how it specifically refers to this. What do you mean by bay steamers—Chesapeake Bay, and the Norfolk and Washington boats?

Capt. CULLIN. Yes, sir; and any other bay we may have. We have boats that run in bays—only a very short line. If you make this bill effective and take in all classes, it would be impossible for us to continue that business. We all work under different conditions, etc., and I do not think our bay boats should be included in this bill at all.

(Page 700.)

Mr. FURUSETH. * * * After the loss of the *Slocum*, it was found as a matter of absolute, indisputable fact, that the men on board the *Slocum* were utterly incapable of the work they were supposed to do. The coroner's jury so decided. The commission appointed by the President so decided. When the report came here to be dealt with, it was found that section 4463, which should deal with the question of crew, did not provide any standard of efficiency for the men employed.

(Pages 451, 452, 453.)

Senator BURTON. Of course, we have had a frightful object lesson in the loss of the *General Slocum* that impresses upon us the necessity for special attention to excursion boats. You have a great number on at certain times, do you not?

Capt. CULLIN. Yes, sir.

Senator BURTON. What is the maximum on those boats running to Atlantic Highlands? What is the maximum number you have at any time?

Capt. CULLIN. I suppose sometimes we have 2,000 people on those boats.

Senator BURTON. What does your certificate allow you to carry?

Capt. CULLIN. Twenty-one hundred, twenty-one hundred and fifty, twenty-three hundred.

Senator BURTON. And you sometimes have as many as 2,000?

Capt. CULLIN. Yes, sir.

Senator BURTON. Do you have boats to carry all of those in case there should be a disaster?

Capt. CULLIN. No, sir; because part of the season we come under the river regulations, and we are so near shore at any time—

Senator BURTON. What is the greatest distance from shore at any time?

Capt. CULLIN. We can stop our boats at any time at all—that is, full speed ahead—stop the engines and put the wheel hard aport or hard astarboard, and let her go ahead with her own speed, and we would be ashore in two minutes.

Senator BURTON. Might not a collision or something occur so that you could not do that?

Capt. CULLIN. At that, we could get our boats in shallow water; and at no time at all, from the lower end of the Highlands to the Southwest Spit, would our upper decks be under water.

Senator BURTON. That is, you maintain you are not compelled to carry the number of lifeboats which would be required in a boat going out to open sea, because on your route you can beach the boat

or get her in shallow water, so that she can be landed anywhere en route?

Capt. CULLIN. Anywhere en route.

Senator BURTON. Suppose she takes fire?

Capt. CULLIN. We have some chances to take. If she were to take fire, we could not begin to carry boats to accommodate all these people. We carry life preservers, a life raft, we have life-saving appliances for every person on the boat, but we do not carry boats sufficient to carry everybody, and it would be impossible for us to do it; for if we put boats on that class of ships to carry everybody, we would not have room to carry the people.

Senator BURTON. Just in a word, what was the cause of the disaster to the *Slocum*? In what respect was she lacking?

Capt. CULLIN. I would not care to say, because I do not believe, not being there, I am able to say what really was the cause of that disaster. It was an accident in that fire getting started—I suppose some one not knowing just exactly how to start to fight it.

Senator BURTON. She was in shallow water?

Capt. CULLIN. She was in shallow water. Now, Mr. Chairman, I do not know whether you know it, but out of that large number of people that was lost on there I think that you will find there were about 800 or 900 who did not have a mark, a particle of a mark, from burns who lost their lives. When that fire broke out forward, if some one had only known sufficient to have run through the smoke, they could very easily have put that fire out with a bucket of water. There was a barrel with buckets sitting right alongside of it; but the boat was running ahead into what wind was blowing, the smoke blew right aft, and the minute everyone saw the smoke they all made a rush for the after end of the boat, and there was the large loss of life, because they crowded one another over the top of the rails and forced the rails out. I think the records will show about 800 or 900 who did not have a mark on them from a burn who lost their lives in that disaster.

Senator BURTON. Of course, in the case of a disaster of that kind a panic is liable to occur within the possibilities, the results of which so far as possible, should be guarded against.

Capt. CULLIN. If she had had a thousand boats, they could not have done a thing at all with the boats. The best thing in the world, if you only educate the people up to it, if they are on a boat and she catches fire, for God's sake get overboard; don't stop for a boat or anything else, but get a life preserver on and get overboard. That is the only thing. We have to take that chance; and we must provide, and since the *Slocum* disaster the Inspection Service has provided, for a competent man to be on the deck of those boats at all times when we have passengers on them who will not lose his head, as was claimed in that case. We have that improvement, and we take every other precaution possible. The Inspection Service, I think, has done its part in that respect. We keep a competent licensed man, and he must be competent. He does not get his license, as this bill proposes to license your able seamen, without any examination. A man to get a license to go as a deck hand on a passenger boat has to take an examination. Therefore, he must be competent, or they would never issue the license.

* * * * *

If you are going to certify a sailor or a seaman, how in the world is whoever issues those papers to know that the man is competent without any examination?

Senator BURTON. In other words, you combat the idea that a certain amount of service gives competency; that is the only criterion?

Capt. CULLIN. No.

Senator BURTON. In your mind, a man might in a few months gain a greater degree of fitness than he would in three years?

Capt. CULLIN. Sure.

(Pages 823, 824.)

Mr. OLANDER. How many passengers do your boats carry, or how many are they allowed to carry by the inspection certificate?

Mr. CULLOM. As I said, 2,150, 2,200, and 2,300.

Mr. OLANDER. At what speed do they travel?

Mr. CULLOM. That depends entirely on the condition of the traffic in New York Harbor and going down the Narrows.

Mr. OLANDER. Just one more question: I made a statement here the other day that I think a good many people present in the room, with good reason, doubted. That was that I had seen in a newspaper something about a shipowner saying, in regard to this 5-mile limit, that most people could swim 5 miles. Is it not true that such a statement did appear in a paper, and that you know it, Capt. Cullom?

Mr. CULLOM. Something appeared in the paper to that effect. I do not think the statement was that they could swim 5 miles, but that 90 per cent of people could swim until they were picked up. If you read the paper correctly I do not think you will find "5 miles" in it at all.

* * * * *

Mr. OLANDER. The reason for that last question, Mr. Chairman, was because I felt, from the expressions of a number of those present in the room, that they perhaps believed I had never seen any such statement. I simply wanted to ask Capt. Cullom what shipowner it was that was referred to?

Mr. CULLOM. I am perfectly free to say, Mr. Chairman, that I am the man that the reporter claimed he had gotten that statement from. I told you that, so you could have mentioned it; but that does not make any difference.

(Page 451.)

Capt. CULLIN. * * * As for the able seamen, as intended by this bill, of three years' service on the Great Lakes or at sea, we would just simply go back in the interior and get one of Senator Nelson's farmer boys, because he would be a good bit more use to us than one of these experienced seamen with a certificate, who would know absolutely nothing at all about this class of business.

(Page 451.)

Capt. CULLIN. * * * These men we get for those boats are men we go back into the interior to get. We get the country boy, if you please.

(Pages 455-456.)

Mr. BRITAIN. Is it not a fact, Captain, that these men are more competent to handle a boat than the regular seamen are?

Capt. CULLIN. Sure.

Mr. BRITAIN. Brought up around the bays and harbors and rivers, handling boats all their lives, that they are more competent to handle a boat than a man crossing the ocean?

Capt. CULLIN. That is the only place where we can get those men. We have to use men from along the shores, etc.

Mr. BRITAIN. That is not quite in accordance with the argument some of you have made. Some of you have stated that the best men you get are from the farms.

(Page 818.)

Capt. CULLIN. * * * Our able seamen would not help us out a particle on that. We can use our 8 or 12 deck hands at our branch pipes, and we have just as efficient a crew to handle our lifeboats as we could get out of the most experienced deck hands.

This is a different class of work from what an able seaman is required to do, and therefore we do not think we should be included in that provision. This work is entirely different from his class of work. We are able to get these men to come back with us. In fact, we make them other positions, if they want them, in other parts of the company's service. These men are all secured from the different watering places, along the Raritan Canal, or along Long Island Sound or Staten Island, or back farther, coming down to the Delaware and Chesapeake Canal, etc. * * * But we can teach those men in 30 days so that the gentleman who is opposing us on this subject can not perform the duties in a way equal to those men.

(Page 826.)

Senator BURTON. What is the capacity of your boats? How many passengers are you allowed to carry?

Mr. BISHOP. Eighteen to twenty-one hundred.

Senator BURTON. How many boats do you have?

Mr. BISHOP. The *Grand Republic*—that ill-fated boat which we also have—has a capacity of 3,700.

Senator BURTON. Just at this minute I do not recall what you mean.

Mr. BISHOP. She was a sister ship of the old *Slocum*. Right at this point it might be well to say that we have had two emergencies on that boat since she has been under our control that demonstrate to the fullest satisfaction of the most skeptical mind that we have a sufficient crew to handle them.

Senator BURTON. What was the nature of the emergencies?

Mr. BISHOP. On the 6th day of July, 1910, a fire started down in the galley, which was below deck. The cook and the rest of the crew were away at the time, and the fire got a good headway. The fire taps were sounded, and inside of one minute they had 12 streams of water on that fire, and put the fire out without the assistance of any fire apparatus from outside or anything else. The damage done by that fire was over \$3,500, and it burned all the way through that wooden boat up through the wheelhouse, and yet our own crew controlled it.

Senator BURTON. In what way did they put out the fire?

Mr. BISHOP. They put out the fire with their fire apparatus and hose that is on the boat, and their fire pumps.

Mr. FURUSETH. Were there any passengers aboard at that time?

Mr. BISHOP. Many passengers? No; there were about 30 or 40, or something like that.

Mr. FURUSETH. At the time when she had the accident?

Mr. BISHOP. No passengers; she was coming back from Rockaway Beach.

Mr. FURUSETH. That is it.

Mr. BISHOP. We will take the one when she had passengers. On the 7th day of July, 1911, on her way to Coney Island, she struck an obstruction in the Coney Island Channel, and put a hole in the second plank from the keel, under the boilers, that was 88 square inches in size. Her pumps were sufficient to keep the water down until she came back, a distance of over 12 miles, to Pier 1. On that occasion she had 1,177 passengers on board. The crew that we used for our fire drill, consisting of the steward's department and our bartenders, and even our candy boys that are working on the boat, landed those 1,177 passengers safely at the Coney Island pier without anybody being hurt, let alone anyone being killed.

ALLEGED INCREASE—READJUSTMENT WITHOUT INCREASE.

(Pages 304, 305.)

Capt. GOODALL. * * * Under the guise of additional safety to passengers we are to be penalized, in addition to all that we are giving our men, to the extent of from \$16,000 to \$20,000 a year. That is to be done under the guise of additional safety to passengers. The actual reason of this is not for the safety of the passengers, but it is to increase the number of sailors to be employed and the earning power of the individual sailors. As an instance, taken in conjunction with section 12 of the proposed bill, we would be compelled, having 16 lifeboats on each ship, to carry a complement of 32 men in the deck department.

Senator NELSON. How many do you carry now, you say—24?

Mr. GOODALL. Twenty-five all told, Senator. We would be compelled to carry 32 men of the rating of able seamen or higher. Of the rating of higher than able seamen we would sum up 10 men—the captain, 3 officers, 4 quartermasters, the boatswain, and the carpenter, making a total of 10, compelling us to carry 22 additional seamen in the forecastle. Our present crew in the forecastle consists of 8 sailors and 6 American deck boys, Senator.

(Pages 322, 333.)

Capt. HIBBERD. The provisions in section 12 granting a license to any man who can prove that he served in the deck department of a vessel for three years, which certificate will enable him to qualify as an able seaman under the meaning of this bill, has two objections.

* * * * *

In the first place, it does not provide for any test which would show that the man was an expert boatman. The mere fact that he has been at sea for three years proves nothing, for it is possible that

in all that time he has never been in a small boat nor had a chance to gain any proficiency in handling one. Furthermore, it will have the practical result of making the American ship operate under the closed-shop rule, and another objection to this provision is that it absolutely prevents any possibility of the American boy having a chance to take up a seafaring life, particularly on passenger steamers in either the Atlantic, Pacific, Gulf, or Lake trades; for while the provision of the bill says that only 65 per cent of the deck crew be of the rating of able seamen, it further provides that each vessel must carry at least two men in this department of that rating for each lifeboat on board.

This will very greatly increase the number of the deck crew over the number now carried; in some instances it will make it necessary for them to carry as many as three times the number of men needed for the actual working of the ship. These men will have to be on board simply for an emergency which may possibly (but not probably) ever arise. Now, in order to keep this supply up it will be necessary for us to draw on the sailors of foreign countries, because under this law it will not be possible for us to train sailors on our own ships. The practical result will be that instead of encouraging and protecting the American sailor, this provision protects and encourages the foreign sailor to leave his country and man the vessels under the American flag. Furthermore, it will have the effect of putting all shipping absolutely under the domination of the sailors' union.

(Page 643.)

MI. OLANDER. * * * I have here the crew list of the steamer *City of Buffalo*. * * * Let me say that it is much the same as that of the *City of Detroit*. * * *

The crew list of the *City of Buffalo* referred to is as follows:

Master.....	1	Cashier.....	1
Pilots.....	2	Wireless operator.....	1
Wheelmen.....	2	News agent.....	1
Lookouts.....	2	Steward.....	1
Main-deck watchmen.....	2	Chef.....	1
Cabin watchmen.....	3	Kitchen help.....	8
"Smokestack" watchman.....	1	Waiters.....	7
Deck hands.....	17	Bell boys.....	4
Engineers.....	3	Bartenders.....	2
Oilers.....	2	Assistant chefs.....	3
Water tenders.....	2	Pantry men.....	2
Firemen.....	8	Lunch-counter men.....	2
Coal passers.....	2	Baker.....	1
Electricians.....	3	Porters.....	4
Pursers.....	2	Chambermaids.....	4

This crew could be readjusted so as to have 31 able seamen on board, instead of only 5 or 6 as at present, and this can be done by putting sailors in the following positions:

Wheelmen.....	2
Lookouts.....	2
Main-deck watchmen.....	2
Cabin watchmen.....	3
"Smokestack" watchman.....	1
Deck hands.....	17
Porters.....	4
Total.....	31

Thus 25 sailors can be put into the crew, replacing the men and boys now employed in the positions named, and if this is done the total number of sailors on board available for emergency service would be 31 instead of only 6 as at present.

FISHERMEN.

(Pages 703-704.)

Mr. FURUSETH. * * * They say fishermen are the best boatmen.

* * * * *

That raises the question as to whether you get the fishermen into the merchant marine of the United States now. According to the testimony of Mr. Brittain—and he unquestionably testified to the truth in the matter—the Scandinavians are vanishing. In the place of the Scandinavians there are coming now the men from the Balkan States. Are they fishermen? The men that are employed on the Atlantic coast as sailors, what are they? Not Americans. Do they come from the fisheries? No. We went into that question before the House committee and found that the drift is absolutely from the sea to the fisheries, and not from the fisheries to the sea, as it stands. Wherever on the coast of the United States there is a large number of either foreign or American vessels coming in, there there are a lot of foreigners in the fisheries. Wherever there is no great number of foreign vessels coming in, there there are no foreigners, or practically none, in the fisheries. But by the testimony of the men themselves here, there are very few sailors and firemen of native birth in the coast-wise traffic either west or east.

Senator BURTON. By the way, will you give the reference to that?

Mr. FURUSETH. Page 269 of the House hearings on this bill, January 29, 1912. After going through every State from the census report—and that, by the way, was done by the Department of Labor—I filed it, with this remark: Mr. Hardy asked me why they seemed to go to the fisheries, and I answered: "Stating it as briefly as possible would be stating it this way: Because the fishermen on ordinary conditions can earn enough to marry and the seamen can not."

(Page 516.)

Mr. FURUSETH. * * * But I am not talking here about the man. When I was talking about this I was not thinking about the man; I was thinking about those 200,000 passengers that we carry, the tremendous number of passengers that they carry, with nobody on deck but the officers six hours, a man at the lookout six hours, incapable of seeing things in the last two or three hours.

* * * * *

Speaking about the necessity for skill, the skill required at sea to-day compares with the skill running a locomotive, and the man running a prairie schooner in the olden days. Again, I come back to the proposition that if it was not for the limited-liability law and the insurance you would never hear anybody coming here bothering you with this question, because the shipowners would come here insisting upon a higher standard than we would ever dream of asking.

(Pages 518-519.)

FOREIGN LAW—DECK EXPERIENCE.

Senator NELSON. I should like to hear you discuss the rules that prevail in the different countries in respect to the matter of the efficiency of the sailors, or crew, and also as to watches.

* * * * *

Mr. FURUSETH. With reference to the watch and watch, I will read what I have right here, because it is made very short:

Section 1 amends present law by regulating the hours of labor at sea by dividing the sailors into at least two and the firemen into three watches. (This is statute law of France and Germany—see pp. 19 and 23, Senate document.)

Senator NELSON. What page from that report?

Mr. FURUSETH. I am reading now from page 4 of the Wilson memorial.

Mr. BRITAIN. Does that apply to the deep-sea trade or the coast-wise trade of France and Germany?

Mr. FURUSETH. It applies generally. [Reading]:

It is custom in England and custom protected by law in Norway. (See p. 27, same document.) In port by establishing a legal nine-hour day, excepting on Sundays and legal holidays, when no unnecessary work shall be required. (This is, in substance, the laws of France, Germany, Norway.) (See pp. 19, 23, and 28, S. Doc.)

(Pages 564-565.)

Mr. FURUSETH. On page 72 of the fourth edition of the Merchant Shipping Acts of Great Britain, published in 1908, is the following—

Senator BURTON. Just a moment. Is that one of the latest editions of their merchant shipping law?

Mr. FURUSETH. Absolutely the latest, sent to me right from London for this purpose.

Senator BURTON. It is intended to set forth all the laws and regulations now in force?

Mr. FURUSETH. Yes. This provides as follows:

RATING OF SEAMEN.

A seaman shall not be entitled to the rating of A. B.—that is to say, of an able-bodied seaman—unless he has served at sea for three years before the mast, but the employment of fishermen in decked fishing vessels, registered under the first part of this act, shall only count as sea service up to the period of two years of that employment; and the rating of A. B. shall only be granted after at least one year's service in a trading vessel, in addition to two or more years' sea service on board of decked fishing vessels so registered.

The service may be proved by certificates of discharge—

Mr. BRITAIN (interrupting). Who gives the certificate of discharge?

Mr. FURUSETH. The master of the vessel.

Mr. BRITAIN. Exactly.

Senator NELSON. As I understand it, Mr. Furuseth says two years' service on a decked fishing boat and one year in addition on a trawler—

Mr. FURUSETH. No; on a trading vessel.

Senator NELSON (continuing). Before the mast qualifies them as able seamen.

Mr. FURUSETH. Or three years on a trading vessel.

Mr. GOULDER. Is the language used there "before the masts," as you read in one place?

Mr. FURUSETH. Certainly.

The service may be proved by certificates of discharge, by a certificate of service from the registrar general of shipping and seamen (granted by the registrar on payment of a fee not exceeding 6d.), specifying in each case whether the service was rendered in whole or in part in steamship or in sailing ship, or by other satisfactory proof.

That is the English regulation.

(Page 566.)

Mr. FURUSETH. * * * Here [indicating] is a copy of a bill that was introduced by the Government of Australia, and probably it is the law to-day, but I do not know. It came to me in the shape it is in now about three months ago. It was introduced last January. It was introduced by the Government itself, so that I presume it is law now, and if it is not it is going to be or the Government will go out.

Here is their definition of an able seaman:

(Page 567.)

Mr. FURUSETH (reading):

RATING OF SEAMEN.

A seaman shall not be entitled to the rating of A. B.—that is to say, of an able-bodied seaman—unless he has served at sea for three years before the mast, or as an apprentice; but employment in a limited coast-trading ship under 30 tons shall only count as sea service up to a period of two years of that employment: *Provided*, That any seaman who has been lawfully rated as A. B. before the commencement of this act shall continue to be entitled to be so rated.

A seaman shall not be entitled to a rating of O. S.—that is, ordinary seaman—unless he has served at sea at least one year and is 18 years of age.

A superintendent before whom the application is made shall refuse to enter A. B. in the agreement unless the seaman gives satisfactory proof of being entitled to such rating.

No seaman shall be permitted to engage in any capacity unless he delivers to the superintendent or, in the case of limited coasting-trade ship less than 15 tons gross registered tonnage, to the persons engaging him a certificate or discharge showing his right to the rating in the capacity in which he desires to be shipped.

Later we will see how this is with reference to the number of men carried:

SCHEDULE 2.—*Seamen on passenger vessels.*

Seamen on passenger steamers carrying not more than 10 passengers, 50 to 100 tons, not less than two able seamen and two ordinary seamen. From 100 tons to 200 tons, not less than four able seamen and one ordinary seaman and one boy,

From 400 to 600 tons, not less than six able seamen, one ordinary seaman, and one boy.

(Pages 569–570.)

Mr. FURUSETH. * * *

Let me go to Germany and see what qualifications they have for an able seaman.

The following is a translation from page 1162 of *Unfallsverhütung und Betriebssicherheit*, given out by the organization of German employers under article 1148 of the German law dealing with insurance and other matters of health and condition of employees.

* * * * *

The German law gives to the employers of Germany an opportunity to contribute to a certain fund; that is, the German workmen pay a certain amount of money into a fund and the employer does likewise. When a man gets sick or receives an injury, he receives so much out of that fund, or if he dies his widow or next of kin receive so much out of that fund.

The German employers have been, by the German law, given the right to determine what they consider safe under conditions throughout the whole entire industrial life of Germany; so that what I am going to read to you now is determined by the shipowners of Germany and it is taken out of that book, and is to be found in the Congressional Library. This is a translation furnished by the Bureau of Labor of the United States.

* * * * *

In addition to the seaworthiness of a vessel, a sufficient and capable crew is of the highest importance for safe navigation. As the opinions of experts differ widely concerning the lowest permissible number of men, the solution of this question is very difficult. Attempts have been made in all maritime countries to fix the minimum number of the crew, but these have generally terminated only in a result relating to the deck crew, while the determination of the personnel required for the service of the engine and boiler rooms had to be left to the shipowners, because the determination of the number of men required for the operation of the engines is affected by too many conditions. In Germany the manning of vessels, with the personnel required for the officering of vessel and engines, has been regulated by law. The marine-accident association limits itself, therefore, with the exception of the general requirement that each ship at the beginning of a voyage must be provided with a sufficient crew, to the following regulation:

"The provisions decreed in pursuance of the maritime law are applicable to the manning of vessels with captains, mates, and engineers. Without prejudice to these provisions all vessels of more than 60 meters (196.85 feet) length or 700 register tons gross tonnage going on long or trans-Atlantic voyages must have a crew consisting at least of the captain, two mates, and such a number of deck hands that two watches may be formed, each consisting at least of one steersman, one lookout, and one assistant for other purposes."

For the purpose of the safe navigation of a vessel it is not only necessary that it be manned with a full crew, but the watches must also be orderly manned. Several accidents caused by improper manning of the lookout and the occupation of the officer of the watch at places where he could not give the proper attention to the navigation have led to the incorporation in the precautionary regulations against accidents of the following provision:

"On each vessel the wheel and lookout shall always be manned according to regulations. The officer of the watch must stay on the bridge, which he may leave only in cases of urgency."

A question of highest importance as regards seamen designated for deck duty is that of their visual capacity. As two vessels meeting or crossing each other at night can make out their relative location only by the color and position of their side lights, whose arrangement and nature are regulated by international agreement, a seaman considered for employment at deck duty must under no condition be color blind. All seamen employed as deck hands must also have a sufficient visual capacity to distinguish seamarks, lighthouses, and leading lights and to estimate distances while steering toward land. The maritime accident association makes therefore the following demand:

In German seaports only such seamen may be mustered in, urgent cases excepted, as can produce proof that they have been examined as to color blindness and visual capacity either at a place of examination created by the German state governments or by an advisory physician of the maritime accident association.

The provisions of the decree issued by the Imperial Chancellor relating to the examination as to color blindness and visual capacity are applicable to the conduct of these examinations.

Seamen who have been found to be color blind or possessing less than half the normal visual capacity may not be employed as captains or mates nor be used as lookouts.

It may also be remarked that the costs of the examination by advisory physicians are borne by the maritime accident association.

SEC. 59. Under the law the following persons shall be considered as the crew: Those employed in maneuvering a ship and engaged in its navigation, together with those operating its machinery and boilers; also, persons who are chiefly engaged with the preparation of food for the crew and cleaning its quarters. The pilot shall not be considered as a member of the crew.

SEC. 60. To be able to be mustered in as an ordinary, a person must have served at least 12 months as a deck boy upon a vessel, as defined in section 17 above. Those who have served on a schooling ship or on the deck of a fishing vessel subject to registration shall be considered as having served as deck boys upon a vessel defined in section 17 above.

To be able to be mustered in as a light hand a person must have reached 17 years of age and have served at sea 24 months, of which 6 must have been as an ordinary.

To be mustered in as a seaman a man must have served at sea 36 months, of which at least 6 months must have been as a light hand.

SEC. 61. To be able to be mustered in as a coal trimmer a man must have reached 17 years of age.

To be able to be mustered in as a stoker a man must have reached 18 years of age and have served at least 12 months as a coal trimmer or machinist's boy upon a vessel as defined in section 17 above.

A "light hand" is a man who is not an able seaman, and yet he is better than an ordinary seaman.

This is taken out of the German regulations that have the force of law. This is not translated by me, gentlemen, but it is translated by the Bureau of Labor.

(Page 696.)

Mr. FURUETH. * * *

I read to you, and it went into the record, a statement showing that the employers of Germany themselves had made arrangements along this line in the interest of safety. You have that in the record already. Here is what the statute law of Germany says about it, to show the condition of men on board of vessels:

Any ship's boy succeeds at the beginning of the third year to the rate of wages allotted to ordinary seamen in the musterrolle—

that is, in the articles—

or to the average of their wages appearing therefrom, and at the beginning of the fourth year he succeeds to the rate of wages allotted to able-bodied seamen.

It goes on to say that a boy, after he has served two years, becomes an ordinary seaman, and after he has served one year as an ordinary seaman he becomes an able seaman.

Ordinary seamen receive at the beginning of the third year such wages as are allotted to able-bodied seamen in the musterrolle—

This is from paragraph 52 of the German seamen's ordinance; that is, the German law governing seamen.

Now, I will go to Norway, * * * After the loss of the steamer *Norge* a commission on manning was appointed. The propositions from this commission to the Parliament of Norway, providing for a standard of efficiency, were as follows. This is taken from page 26 and translated by the Bureau of Labor:

All persons are counted as belonging to the ship's crew, in the meaning of this act, whose work has to do with the maneuvering and navigation of the ship, or with the ship's machinery and boilers, besides the persons who are mainly charged with the preparation of the crew's mess and the care of their quarters. The pilot does not belong to the crew.

In order to be employed as "jungmand"—

That is, a young man, a boy; that is a grade above the ordinary boy when he first comes on board—

In order to be employed as "jungmand," one must have sailed for at least 12 months as deck boy on a vessel as specified in section 17.

The vessel specified in section 17 is a vessel going on the ocean.

Service on a school ship or a fishing vessel with a deck crew below the size requiring registration shall be deemed the same as sailing as a deck boy on a vessel, as specified in section 17.

In order to be employed as underseaman (letmatros), one must have been at least 17 years old, and have sailed on the seas for 24 months, during at least 6 months of which he has been a "jungmand."

In order to be employed as able seaman—

Senator BURTON. What year is that?

Mr. FURUSETH. 1910—March 15, 1910.

In order to be employed as able seaman (matros), one must have sailed on the seas for at least 36 months, and during at least 6 months as underseaman (letmatros).

In order to be employed as coal porter—coal passer—one must be at least 17 years old. In order to be employed as stoker, one must be at least 17 years old and have sailed at least 12 months as a coal porter or machine boy on a vessel, as specified in section 17.

(Page 695.)

Mr. FURUSETH. * * * Here is what the laws of New Zealand have about the subject of the rating of seamen. This is from the law of 1908. All these laws of New Zealand and Australia and England and the recommendations of the Norwegian Commission have been influenced by that document which you have—the report of the commission:

A seaman shall not be entitled to the rating of A. B. (meaning thereby an able-bodied seaman) unless he has served at sea for four years before the mast or as an apprentice; but the employment of a fisherman in a decked fishing vessel or cutter shall only count as sea service up to the period of three years of that employment, and in either case the rating of A. B. shall only be granted after at least one year's service in a trading ship in addition to three or more years' sea service on board a decked fishing vessel or cutter.

Senator Burton. There is a dispute as to the extent to which that requirement is compulsory in England. I do not see but that the merchant shipping act of 1894 defines an A. B.—an able-bodied seaman.

Mr. FURUSETH. Oh, yes, sir.

Senator BURTON. It is in practically the language you have read from the statute of New Zealand?

Mr. FURUSETH. It defines it; yes, sir.

Senator BURTON. To what extent is that compulsory? How many of the able-bodied seamen must they have on each boat?

Mr. FURUSETH. At present none at all.

Senator BURTON. So that all that the statute of England does is to define what an able-bodied seaman is?

Mr. FURUSETH. Yes; and it does it in the interest of the employer.

Senator BURTON. The New Zealand statute goes much further?

Mr. FURUSETH. Yes, sir. The New Zealand statute provides for what shall constitute an able seaman. Then, on page 384 of this New Zealand statute—

Senator BURTON. Of what year is that?

Mr. FURUETH. 1908. On page 384 it provides that they shall have a certain number of able seamen, beginning in a vessel of 100 tons with 4, and ending in a vessel of 2,000 tons with 9. If you will look at the recommendation of the British commission you will find that that runs right in line with the British commission's recommendation, which they call an irreducible minimum.

PRACTICAL EXPERIENCE V. THEORETICAL EXAMINATION.

(Page 697.)

Mr. FURUETH. * * * Now, we come to what the United States has to say about this subject.

This is a copy of the inspection rules.

(Page 699.)

No original license for second mate of ocean steamers shall be issued to any person hereafter who has not had three years' experience on such steam vessels, two years of which shall have been as a watch officer or quartermaster, or two of the three years' experience may be on the school ship *St. Marys* or some other similar vessel, as indicated by his graduating certificate, or he must have had three years' experience on ocean sail vessels of 300 gross tons and over, one year of which shall have been as second mate of such sail vessels of 700 gross tons and upward: *Provided*, That any person holding a second mate's license who has had two years' experience on the same as watch officer shall be entitled to an examination for a chief mate's license.

(Page 699.)

Mr. FURUETH. * * * There is a book about 2 inches thick known as "Practical seamanship." That is the title of the book. * * * That book, if he studies it with care and has somebody to teach him a little, will enable him to pass a good theoretical examination in seamanship; and yet he would be absolutely no seaman at all. Experience is the chief point in seamanship. You can not learn to be a seaman except at sea.

(Page 561.)

Mr. FURUETH. In order to be an efficient man on board of a vessel—that is to say, what we mean by an able seaman—a man must be able to do any of the work that is to be done on board of that vessel. First, he must be able to understand orders that are given. Second, he must be able to carry those orders out or perform the work that is required of him.

What is the work? He must be able to steer a vessel. He must be able to keep lookout properly. He must be able to lower the boat and get it away from the ship's side in a proper manner. He must be able to reef, for instance, any kind of tackle that is needed on the vessel, whether it be tackle for lifting heavy spars or anything that is heavy, or whether it be for the use of a cargo or the handling of the anchors, or whatever the work may be. He must be able to make any kind of ordinary knots and splices; to repair anything that is going to pieces; to look after the wheel ropes and repair them; to clean any place that it is necessary to clean; to paint any place where it is necessary to paint; to do anything that is to be done on board of a vessel to keep her in order and to keep her efficient.

To learn this, first and foremost he has to learn to stand on his legs. It takes a man at any rate about six months to begin with before he is able to stand on his legs in the seaway on board of a vessel—that is, to so stand and in such a way that his body naturally corresponds with the motion of the vessel, so he can use both his hands and both his eyes and both his ears, to see, to hear, to act, and to obey, without considering the conditions that he himself personally is in.

* * * * *

Besides what I have described here he must be able to take sound-
ing with a hand lead.

(Page 700-701.)

Mr. FURUSETH. * * * Everyone who has dealt with this question in years gone by, when sailing vessels were involved, has put it at four years. All the commissions that have dealt with it since the steamer came in reduce it by one year and say it is three years, and that that is an irreducible minimum.

Let us see what the United States Senate has done upon the subject.

* * * * *

Mr. FURUSETH. * * * The bill that amended section 4463 passed the Senate without a dissenting vote on February 11, 1905. Another version of section 4463 had passed the House. * * * He wanted to take up his own bill, which did not have these amendments in it, but he found out that the leaders on both sides of the House of Representatives were sitting there waiting to put in this amendment, and as a result he never called up his bill.

Here is the amendment proposed by Senator Mallory.

Senator BURTON. One minute. Had his bill passed the House?

Mr. FURUSETH. A bill had passed the House.

Senator BURTON. Different from this?

Mr. FURUSETH. Yes.

Senator BURTON. But pertaining to the same subject, of course.

Mr. FURUSETH. Yes.

Senator BURTON. And then this bill came over from the Senate?

Mr. FURUSETH. Yes.

Senator BURTON. What is the amendment? Will you read it?

Mr. FURUSETH. Yes. [Reading:]

Provided, That except in the case of steamers navigating rivers exclusively, at least 75 per cent of the navigating crew—

That is, the deck crew—

exclusive of the licensed officers, shall be individually effective hands; that is, not less than able seaman; and no one shall be signed as an able seaman unless he shall be 19 or more years of age and shall have served at least three years on deck at sea or on the Great Lakes.

The amendment was agreed to, and the bill passed as amended. See page 3633 of the Congressional Record of 1905.

Senator BURTON. Do you know the date when that was under consideration?

* * * * *

Mr. FURUSETH. It was in the spring of 1905.

* * * * *

Mr. FURUSETH. It never came to the House.

(Page 692.)

Senator BURTON. I am always averse to asking any questions, Mr. Furuseth, because it may seem to intimate some fixed opinion that I have; but I want to get all the light possible. This does not intimate any opinion. What do you say of a provision making it alternative, either 36 months' experience or an examination?

Mr. FURUSETH. We have no objection to the alternative at all.

Senator BURTON. An alternative in which experience, time served, is to be disregarded?

Mr. FURUSETH. To disregard it altogether would be a dangerous proposition, as I shall show you in a minute. Disregarding it altogether you will find would be a dangerous proposition, because it would then be possible for you to get what might be called "paper sailors." But with a lesser experience and an examination I would have no objection to it at all. The fact of the matter is that was how the bill was originally drafted.

(Pages 405-406.)

Mr. BRITAIN. * * * How can a local inspector tell whether a man has been three years at sea or not? To boil it right down, it comes to this, that the word of the labor leader will be accepted by the local inspector as evidence of the fact that the man has been three years at sea. We have not time to employ men to go around and tell the local inspectors that this man we propose to hire has been three years at sea, and the local inspector can not tell it. You can take a man who has been three months at sea and he will pass as good an examination as the man who has been three years at sea, and the consequence is that the man will have to join the union before he can get his certificate.

* * * * *

It will lead to perjury on the part of the men themselves. It is the young American boy you are so anxious to see go to sea. He is no dummy; he is no stupid. When a self-respecting young fellow goes aboard of a ship as a deckhand and looks around him it will just take him about a week to see how much it requires to make a man competent. Do you think he is going to stay aboard of that ship three years to learn what he can learn in three or four months?

* * * * *

In fact, he would be ashamed to say he ever held such a certificate, because it would be an absolute evidence of his incompetence, because it took him three years to accomplish what anybody can accomplish in three months at the outside.

(Page 548.)

Capt. GOODALL. Capt. Hibberd can tell you about this, gentlemen, or I can tell you. I have been on board boats where the man at the wheel has been raised up from a deck boy. Our particular company has been operating only two years, and we have not had sufficient time to raise them up.

(Page 381.)

Mr. LIVINGSTON. * * * We assume the sole object of this section is to provide safety at sea. It can not, in our judgment, have any practical application. You will note that the only provision that is required is for the applicant to prove by affidavit to the local inspector that he has had at least three years' service on deck at sea, whereupon the local inspector shall issue to said applicant a certificate of service. It says nothing whatever about his qualifications.

(Page 610.)

Senator BURTON. An alternative between the two, either an examination or a time limit?

Mr. FURUSETH. Exactly. That is how the bill read that was introduced first, but the shipowners were so absolutely opposed to the examination and the department was so utterly opposed to the examination, that we simply had to drop it.

Senator BURTON. What were the reasons they gave against it, that it was impracticable?

Mr. FURUSETH. Utterly impracticable, they said, and entailing such a tremendous loss of time and expense as to be utterly out of the question. That was the report made by the Commissioner of Navigation to the House Committee on Merchant Marine and Fisheries. And just there, with reference to that question, I will say that the question has been under discussion in England for over 30 years, and they have settled down to a three years' experience.

(Pages 412, 413.)

Senator BURTON. One or two questions. Is there an apprentice system for the position of able seaman or a position on the deck in Great Britain?

* * * * *

Mr. BRITAIN. Are there any boys apprenticed on the steamers over there, Capt. Luckhurst?

Capt. LUCKHURST. Yes. Since the going out of the sailing vessels and the coming in of the steamers apprentices have been put on steamers.

Senator BURTON. How long is the term?

Capt. LUCKHURST. Four years to pass the British Board of Trade examination for a certificate. So they serve four years on a steamer, but formerly a year or two on the training ship would count in computing the time of the boy.

* * * * *

Senator BURTON. Is there any apprenticeship before they are entitled to a position as ordinary seaman?

Capt. LUCKHURST. No, sir; an ordinary seaman is a position between that of deck boy and able seaman. An ordinary seaman, as we understood it when I was at sea, was a boy or young man, such as the one Mr. Brittain spoke about, who had not the training-ship education, who went to sea as a boy for two years and learned a little of sailorizing; then he would serve as an ordinary seaman, and a further two years, and become a full seaman. If he had any education, he could then pass a second mate's examination the same as the

apprentice could. The boys all start out on the same basis. He could go to sea as any deck boy, or a wealthy man's son as a midshipman, or a bound apprentice. Each would serve four years; each would become an able seaman at the end of four years. Each of the three boys, after four years' training, is entitled to the grade of able seaman, for which no license is required, and each boy could pass the examination of a ship's officer; and, of course, it was more trouble in former days, when we had so many sailing ships, than it is to-day. The boys who do go to sea to-day go into the few remaining sailing ships or in the training ship which England is building to-day for that very purpose, in addition to these Mr. Brittain speaks of or they go in the steamers. Those who go in the steamers do not stay very long, my experience is; perhaps for a voyage or two or three.

(Page 431.)

Mr. SKENTELBERY. Some go to sea without apprenticeship, and some with. You can go to sea as a boy without apprenticeship, signing on as deck boy.

Mr. FURUSETH. How long is that apprenticeship?

Mr. SKENTELBERY. Four years, as a rule.

(Pages 431-432.)

Senator BURTON. To repeat a little, perhaps, what proportion of sailors serve an apprenticeship before they rank as seamen?

Mr. SKENTELBERY. I do not think very many do, sir, at all serve an apprenticeship before they rank as able seamen. They merely serve as a boy, as was explained by Mr. Brittain yesterday.

Senator BURTON. That is, they go on as deck boy?

Mr. SKENTELBERY. Yes; and from deck boy they go to ordinary seamen, and from ordinary seamen to able seamen.

Senator BURTON. A deck boy would rank as ordinary seaman?

Mr. SKENTELBERY. After serving a couple of years.

Senator BURTON. Does he receive the pay?

Mr. SKENTELBERY. Yes; but small pay as a boy. He is not of very much use for the first 12 months.

(Pages 357-358.)

Mr. RILEY. Mr. Chairman, I just want to speak on this certificate of seamen. * * * If you started something like that, if this law and this amendment were passed and went into effect, you could not get seamen up on the Lakes, and in two years the whole thing would be tied up. In the first place, even though there were men, how could you get them on the ships? There would be a certain number granted them, and they would drop, we will say, into the unions. In a short while you would not be able to get those men if you wanted men on a ship. * * *

The next thing is, there is not what you might term an able-bodied seaman on the Lakes. There is no necessity for him; there is no requirement for him. A deck hand is a seaman, in the sense of the word. While it may not be from a technical point of view, and by the decisions of the court he is more of a coal passer, more in the nature of a scrubber, etc. Wheelmen are practically, in a sense of

the word, the only seamen, so to speak, on the ships, outside of the two mates. * * * You take the average deck hand, or take any of the deck hands on the ships now; in seven or eight days he will know as much about decking and about seamanship, on the average boat, as he will know in two years. * * *

(Pages 793-794.)

Mr. SMITH. The average young man, I believe, would require one year before you could say he was competent to take the wheel.

Senator NELSON. You mean one season on the Lakes?

Mr. SMITH. The inspectors allow us a year for our sailing season, for the reason that the men get more practical experience, they think, in one season on our Lakes than they do at sea in a year. They have to fit out our boats and lay them up, and that experience is worth a great deal to the men. So that they have classed the time of our seamen as a year.

(Pages 604-605.)

Mr. OLANDER. * * * Mr. Goulder talked the other day about everybody running for shelter when a squall came along except the mate and lookout, and I replied that his statement was true, because there was not anybody else on deck except the mate and the lookout, that being her entire deck crew, except the man at the wheel. That statement has not been challenged that I know of.

Mt. SMITH. I challenge it now. * * *

Mr. OLANDER. Take the vessel at night, the time she needs men most, what is her crew?

Mr. SMITH. The deck watch, six hours on and six off.

Mr. OLANDER. What is this deck watch? Is that in addition to the lookoutsman and the wheelsman?

Mr. SMITH. Yes, sir.

Mr. OLANDER. How many companies make a practice of that?

Mr. SMITH. I could not tell you how many. I know we do.

Mr. OLANDER. What company is that?

Mr. SMITH. The Pittsburgh Steamship Co.

Mr. OLANDER. Let me ask you, what is the greatest number of deck hands that your company carries on any one ship?

Mr. SMITH. Six.

Mr. OLANDER. What is the smallest number?

Mr. SMITH. I could not answer that; I think, five. I would not say positively.

Mr. OLANDER. And you use four of them for coal passers?

Mr. SMITH. Yes, sir.

Mr. OLANDER. How do you divide that other fellow into two watches of six hours each?

Mr. SMITH. That is on those small boats. All our modern boats have two men on deck.

Mr. OLANDER. But you say your company does it—your whole company does it. Is it not a fact that only some of the larger boats do it—

Mr. SMITH. All what larger boats?

Mr. OLANDER. And that your company is the only one?

Mr. SMITH. I do not say so. I am only talking about the company I know about, not making assertions.

(Pages 792-793.)

Senator NELSON. Mr. Smith, a thought occurs to me there. What objection can there be to having that odd watchman as well qualified and competent as the two lookout men and the two wheelmen?

Senator CRAWFORD. That makes just one additional man.

Mr. SMITH. It would make two additional.

Senator NELSON. What objection could there be to making those six men qualified?

Mr. SMITH. Instead of four?

Senator NELSON. Yes.

Mr. SMITH. The greatest objection there would be you might not always be able to get them. Take the case that has been stated here; if the union should get charge of all the men on the Lakes, we might find it difficult sometimes to get so many men of that rating, while we could go out in the country, on the farms, where we get a great many of our men——

Senator NELSON. That would be only two extra men on a big ship like one of these.

Mr. SMITH. It would be harder to get six instead of four, and in the other case we would be making these experienced men faster, if we could pick up the boys off the farms, as we do. That is the kind of boys we try to get. If we had six of those boys in the deck we would be developing men of a higher grade faster than if we had only four.

Senator NELSON. Then, if you had the qualifications of the six that Senator Burton has described, either three years' service or one year's service after examination——

Mr. SMITH. Yes; we would agree to that.

Senator NELSON (continuing). If you applied such a rule to the six, could there be any serious objection to it?

Mr. SMITH. To the one year's service and the examination?

Senator BURTON. No; to there being six.

Mr. SMITH. That would be the objection. It is that many more able-bodied men we have to get, that many more certificated men we have to get, and that would be the objection to it; and also the smaller number of men we had preparing for those positions. You see, we would have there only four men preparing for those positions, while we would have six positions to fill.

(Pages 789-790.)

Mr. SMITH. * * * As I said this morning, some men can become proficient wheelmen in a short time; others never would become proficient. We think a better way would be a practical examination, putting men to the test to prove whether they are really competent to steer a ship or not. That, I think, would be the most practical way to do it.

Senator BURTON. Would you believe in a double standard; not in the sense in which we used to speak of that, but as applied to this?

Mr. SMITH. We would be willing to say this, that before they should be eligible for examination they should serve one year.

Senator BURTON. Would you be willing to have this standard of three years entitling them to a certificate of able seaman in any event?

Mr. SMITH. That would be all right.

Senator BURTON. And, second, that an examination entitles them to a certificate, provided they shall have served one year before they take that examination?

Mr. SMITH. All right; that will do.

(Page 238.)

Senator FLETCHER. Have you any standard of efficiency for your crews?

Mr. GOULDER. No, sir; there is no standard of efficiency, nor has there been any standard of efficiency in 20 years on the Lakes.

(Page 244.)

Senator SMITH. There is one great point of distinction between the other side and your side. They are endeavoring to form a basis for a standard of efficiency, and you want the right to exercise your own judgment as to whether they are efficient or not.

Mr. GOULDER. No.

Senator SMITH. I think I state that correctly; is that right, Mr. Coulby?

Mr. GOULDER. I do not think you quite understand our position.

Mr. COULBY. I would not go that far.

* * * * *

Senator SMITH. You do not want able seamen as defined by a certificate issued by anyone?

Mr. GOULDER. No.

(Page 649.)

Mr. OLANDER. A statement has been made here regarding this question of certificates that was, in a measure, rather startling to me, knowing the conditions on the Lakes as I do. They said to you, "Don't tag and card the men; it places a limitation upon them," or words to that effect. Let me tell you that the Lake Carriers' Association since 1909 have been issuing a series of certificates themselves, and I want to show you one of them. It reads:

No. 80865.

ABLE SEAMAN'S CARD.

Issued at South Chicago, Ill., office, September 8, 1911.

This certifies that, upon the application of the holder and the best information available to the Lake Carriers' Association, Oswald Christensen is competent to perform the duties of able-bodied seaman as wheelsman.

This card is issued on the representations of the applicant and his pledge to perform his lawful duties whenever engaged on a vessel in the membership of the Lake Carriers' Association faithfully and regardless of whether any member of the officers or crew may or may not be members of or affiliated with any union or association, subject to revocation for violation thereof.

This card is for one year, and while unrevoked entitles the holder to all privileges of any assembly rooms of the Lake Carriers' Association under the rules for their use.

LAKE CARRIERS' ASSOCIATION,
By W. LIVINGSTONE, *President*.

Attest:

GEO. A. MARR, *Secretary*.

OSWALD CHRISTENSEN,

(Signature of holder.)

PARTICULARS OF IDENTIFICATION.

Address, 4326 Evans Avenue, Chicago; place of birth, Denmark; age, 27; height, 5 feet 7 inches; complexion, light.

C. W. STEPHENS, *Commissioner*.

NOTE.—The card of able-bodied seaman is issued for duty as wheelsman, lookoutsman, fireman, oiler, water tender on steamers, and to mates, seamen, and donkeymen on barges, and to all stewards. Annual renewal is required.

They insist that the men have those cards. They don't want the Government to do this, but they do want to do it themselves.

(Page 658.)

Mr. OLANDER. I gave you a certificate there that had been issued to Oswald Christensen. I have here an affidavit from Mr. Christensen showing how he obtained the certificate. There are some things in that affidavit that have not anything to do with this particular case. I got this affidavit to use in the testimony I gave before the committee on the investigation of the United States Steel Corporation, before which I testified, I think it was last February. The part that refers specifically to getting the book reads:

I, Oswald Christensen, being first duly sworn, state that on September 8, 1911, I went to the Lake Carriers' Association shipping office at South Chicago, Ill., to look for employment as a wheelsman. I was informed by the shipping master that in order to get a job I would have to join the Lake Carriers' Association "welfare plan" and secure a discharge book, which would cost me \$1. I thereupon signified my willingness to enroll.

The shipping master then made a record of my name, age, place of birth, name of nearest relative, and personal appearance. He instructed me to sign a paper, the contents of which I did not see, and then, upon receiving from me \$1 he gave me a Lake Carriers' Association "discharge book" and an "able seaman's card," or certificate, both being numbered 80865, the latter certifying that "upon the application of the holder and the best information available to the Lake Carriers' Association Oswald Christensen is competent to perform the duties of able-bodied seaman as wheelsman."

No effort was made to ascertain whether or not I was qualified to serve as a wheelsman other than to ask me one question as to how long I had sailed; no questions relating to seamanship were asked, the certificate and discharge book being handed to me without further questioning, and I was told to wait around for an opportunity to ship.

That is sworn to, and I would like to have the affidavit itself put in as an appendix to my remarks on this occasion.

(Page 654.)

Mr. OLANDER. * * *. They say they do not want the Government to say to them that a certain number of those men certified by the Government shall be employed on their ships; but they say, "We will issue the certificates, and we will say that not one man shall be employed on our boats, if we can prevent it, who has not got our certificate."

(Page 652.)

Mr. OLANDER. * * *. It is that privilege of taking the certificate away from the men—the blacklisting feature of this plan—that makes them want to have the control of these certificates themselves. We feel that the control ought to be vested in the Government. We do not think that the Lake Carriers' Association, or any other association of employers or any association of any kind, has got the right

to deprive men of that kind of a certificate without which a man can not secure employment. It is altogether too much authority to leave in the hands of people like that.

APPLICATION TO FOREIGN VESSELS.

(Page 312.)

Capt. GOODALL. * * * There is another thing I should like to say in regards to these licenses to be granted to seamen: In my mind, there is a grave question of public policy involved in the granting of licenses by the American Government to foreigners. You propose under this law that British ships shall come in here, and the crew shall be mustered, and it shall be ascertained that they understand and speak the language of their officers. There will be no question about it. You then propose to file them up before the United States local inspector and have them make affidavit that they have been at sea on deck for three years or more, and he will grant them a license—grant a license to a British subject. * * * Are you going to permit those Japanese ships to sail away with every member of the crew in the fore-castle carrying a license issued by the United States Government? I think it involves a grave question of public policy—a very grave one.

(Page 611.)

Mr. OLANDER. As to the men on foreign vessels. * * * a very large portion of those men will have something to show that they have served for a given period of time.

Senator SMITH. What will they have?

Mr. OLANDER. Discharges off of vessels.

(Pages 717-718.)

Mr. FURUSETH. I want to call attention to this: That one of the things that was advocated by some of the members sitting on the commission of 1906, the report of which you have, was that the laws (British) governing English seamen should be made applicable to foreign vessels.

Senator BURTON. I noticed that. They would not agree with the conclusions unless they were made applicable to foreign ships.

Mr. FURUSETH. Exactly. As a matter of fact, the laws dealing with deck load, the laws dealing with freeboard, the laws dealing with everything that has to do with safety of life among passengers, and * * * among the employees, * * * apply to foreign seamen in foreign vessels while in English ports. Thus, if an American vessel is lying in a port of England and one man gets hurt, he can sue the American vessel in the English court under the British compensation act now, * * * and Parliament gave to the board of trade definite authority to detain vessels that were undermanned or unseaworthy by reason of being undermanned, and they exercise that authority not only over native vessels, English vessels, but they exercise it over foreign vessels. * * * Here is a circular issued by the board of trade to the boarding officers, giving them instructions how the vessels must be manned as a minimum.

UNIONS OF SEAMEN.

(Pages 59-60.)

Mr. DOLLAR. * * * Right here I wish to say I will take second place to no man in my efforts to benefit the condition of the sailors on the Pacific coast, and I want to say that I am very strongly in favor of labor unions. I think we can not get along without them. I want to make that explanation, so that where I denounce them, where they deserve it, you will know what my convictions are.

(Page 79.)

Mr. DOLLAR. * * * So, on the modern steamers, I am opposed to seamen having certificates, as the real object of it is to put the entire shipping of sailors by law into the hands of the sailors' union, who in time of a strike could effectually tie up the entire shipping of not only American but all foreign ships. To give one man the power to do this is so dangerous that I ask you to think it over thoroughly before creating such a monopoly.

(Pages 243-244.)

Mr. GOULDER. Mr. Furuseth says he represents only 5 per cent or 3 per cent of the sailors, so there is not much chance of a monopoly there. I do not know anything about Mr. Furuseth and the people he represents on the Lakes. We do not know whether we have any, or how many, or whether all of our men are union men or none of them union men, or anything about it. We do not bother our heads about that; it is none of our business. We let a man belong to any church, to any union, or to any lodge that he has a mind to. So we are not afraid.

(Page 401.)

Mr. BRITAIN. * * * Suppose one of our ships is loaded with a crop of strawberries, as I explained the early part of the evening, and at 7 o'clock at night, when we are ready to depart, our men should go on a strike. It is contrary to human nature to expect these men when they are going to strike, even for a paltry grievance, to choose the time which would be most advantageous to us. They usually do not do that when they call a strike. They do not consider us in that respect at all. They generally start to strike about the time it is most disadvantageous to us.

(Page 691.)

Mr. FURUSETH. * * * Regardless of whether there is a standard of efficiency or whether there is not, it is possible that vessels may be tied up. They have been on the Atlantic coast, they have been on the Lakes, and they have been on the Pacific coast. * * *

Mr. BRITAIN. Will you tell me when the Atlantic coast steamers were tied up? I do not think it is right to make that allegation without substantiating it by evidence—unless you mean a short tie-up, two or three hours' delay.

Mr. FURUSETH. That is true.

Mr. BRITAIN. Can you tell me of any other case?

Mr. FURUSETH. A day.

Mr. BRITAIN. Tell me a case where one was tied up for a day.

Mr. FURUSETH. That is immaterial just now.

Mr. BRITAIN. If you make that allegation you leave a wrong impression here.

Mr. OLANDER. Mr. Brittain contends that none of the boats on the Atlantic have ever been tied up. That will serve as an argument that there is not any danger in the certificates.

(Page 416.)

Senator CRAWFORD. Coming right back to this bill, you have serious and sincere apprehension that there are provisions in it which would enable designing men to hold up ships and force union seamen upon ships, and, in a way, that would paralyze traffic and interfere with the conduct of public business, have you?

* * * * *

Mr. BRITAIN. Exactly. I gave an illustration of our ship loaded with strawberries ready to depart for the northern market.

* * * * *

Mr. BRITAIN. There is the position we would be in, and I claim we have a right for the protection, if I have to fall back on the welfare clause of the Constitution, that we have a right to put any man on our ship to bring our ship to New York, because of the irreparable damage which would be done to that cargo, which would not fall on the shipowner directly, but would fall on the poor grower of the crop.

Senator BURTON. Suppose wages were raised; would not a larger number of Americans go to sea?

Mr. BRITAIN. I do not think so.

(Page 608.)

Senator CRAWFORD. Mr. Olander, I do not want to interrupt you to delay matters at all, but supposing there was a strike, and they were having just that difficulty that they were having there, and then, under section 7, we enact a provision that she shall not depart unless she has this crew that is required here; what would these vessel owners do?

Mr. OLANDER. Do exactly what they did then, send out all over the world and get men to take their places.

Mr. BRITAIN. There is the "nigger in the woodpile."

Mr. OLANDER. Do exactly as they did then, and if they make conditions so bad that they can not get men to come from anywhere there is only one thing to do, and that is remedy those conditions. Workingmen have to work for a living, and do not strike for the fun of the thing.

(Page 418.)

Senator BURTON. Of course, as it is now, you are subject to strikes at any time.

Mr. BRITAIN. Yes; but we can replace men easier than we could under that law.

(Page 311.)

Capt. GOODALL. * * * The next point is the impractical working of the bill. Let me give you an example of our case. We have a ship valued at a million and a quarter dollars, and a crew, as I stated, of 135. We have on board, perhaps, from three to six hundred tons of cargo. We also have on board possibly from 200 to 700 passengers, all on board and ready to sail from the port of San Francisco at 4 p. m. * * * One irresponsible sailor gets too much steam beer on the water front of San Francisco and fails to arrive before the ship sails. The ship, the cargo, the balance of the crew, and all the passengers are held there awaiting the arrival of that sailor or the substitution of another one. He does not arrive and we want to find a substitute. Where are we going to get him? * * * Why, we would go to the Sailors' Union of the Pacific, and they would furnish them to us. That is where we would go. That is where we would be forced to go. In other words, gentlemen, this bill proposes to create one of the greatest monopolies of labor that ever has been thought of.

(Page 843.)

Mr. FURUSETH. * * * Now, then, as to the other features of it about which I want to speak for just a minute, will this standard of efficiency be worked in such a way as to put into the seaman's hand an industrial power that will make it possible for them to make undue claims upon commerce? * * * The rule here is three years on deck, at sea or on the Great Lakes. It means from a fishing smack to an ocean steamer, on the Lakes or on the ocean, in a Norwegian vessel, in a German vessel, in a Holland vessel, in an American vessel, in an Australian vessel, or in a Canadian vessel, or in any place where a man knows a sufficient amount of the language to be able to understand the orders given. And anyone from northern Europe or the northern center of Europe who has sailed long enough at sea, anyone who has been three years at sea, knows enough English to be able to understand the orders given; so that it would be an impossibility to get all of those men, or even a majority of them, into an organization.

But suppose you could get the majority of them into an organization, and you could raise the conditions up to an average of other workingmen. That is to say, give the men sufficient wages to marry and feed a family, which is that which every other workingman is supposed to do. The moment you reach that point the current will be strong enough from the shore and from the fisheries to the sea to make it utterly impossible for anybody to get beyond the average wage of men of equal skill and training on shore.

(Page 848.)

Mr. FURUSETH. * * * I can understand the fear that employers will have, I can appreciate that fear. It is probably what they themselves would do, if they had a chance, to tie up. It is what they have done with us seamen. They have said, "You go for this or you do not go at all." They fear that if the seaman has any power at all he will do the same thing. But they are of higher intelligence and smaller numbers than we are. They can get together and do those kind of things, but we can not. We can get together to some extent,

and the getting together to some extent will help to raise the standard, but the raise will come so gradually, Senators, that business will adjust itself to it.

(Page 849.)

Mr. FURUETH. * * * The movement would go forward as business adjusted itself to it, until we came to the condition which existed 50 years ago, a condition where, when a man was 22 or 23 or 24 years old, he would not think of remaining unmarried. He would marry and have a wife and a home somewhere. * * * You simply can not earn enough money upon which to do it. It is impossible. You see very few married men on the Pacific coast of those who get the highest wage—\$50 a month. There are a few in the Pacific Steamship Co. service who are married. When you have said that, you have said all there is about it.

Naturally men seek to get out of the kind of work in which they can not live like other men, and to find some work where they can live like others. So you see we mean to raise wages after awhile. We hope they will raise to a reasonable amount, after awhile, sufficient for us to live like other men surrounding us do. We hope for that, and we will fight for it. And we would fight for it even if you did not give us the chance that we hope you will give us. * * *

But I do not think it would be possible for an organization to hold up commerce unreasonably, as they call it. They said exactly the same thing when we pleaded for freedom in the coastwise trade—the very same thing. When we pleaded for it they said, "Yes, if you give them this freedom, they will tie up the vessels. They will have a vessel brought into the port of Pensacola, Fla., and tie her up there and compel this vessel to pay enormously to get back, and they will run away from vessels out of sheer wantonness."

They went to Speaker Reed and said that to him, and Reed said in his peculiar way when we spoke to him about it, "Well, we will try you. It will not take much trouble to take it away from you if you do not know how to use it."

When they tried us, instead of 5 per cent to 6 per cent of desertions it is less than 1. * * * They do not run away any more. The men want to work and earn a living.

(Page 853.)

Mr. OLANDER. I want to state that at some time I would like to make a few brief references to go into the record that might contain some information for the committee if they would care to look it up afterwards.

Senator BURTON. On what subject?

Mr. OLANDER. On the subject of the organization and its conduct by the seamen. * * *

Senator BURTON. Go ahead.

Mr. OLANDER. My reason for asking for the privilege of doing this is that there has been some criticism directed against the union in such a way that it seems to me it is intended on the part of the opponents of this bill to leave the impression with the committee that the sailor is a kind of an irresponsible person who would misuse any opportunity that would be given him to make improvements in his

condition. I can give you some evidence, and point out other evidence, I believe, that will show conclusively that when the sailor gets anything of an opportunity he is quite the reverse from being irresponsible, but, as a rule, he is a mighty steady, conservative character. On the Great Lakes during the period from the year 1903 up to 1909 the great majority of the men in the deck crews, exclusive of the licensed officers, were members of the Lake Seamen's Union, the organization I represent here. What was the action they took? What did they do during that time?

I have filed with the committee a copy of the constitution and by-laws of that organization. That shows the laws that they adopted at a time when they had a good deal of industrial self-government, and you can see a spirit running through those laws that will indicate what they did and tried to do. The language is not, perhaps, the best legal language; it may be crude in many respects. But you can get the spirit of it all there. * * * Their attitude toward the employers and toward the organization itself is shown by the fact that, beginning in 1903, the first year that the employers would consent to meet them, they met with the employers year after year, and so long as the various organizations of shipowners agreed to meet with them they signed up agreements without any strike. I have their agreements here for those five years, one after the other. I could leave them with the committee. You could find out what conditions those men were willing to work under. In spite of the fact that nearly all of them were unionized they were willing to go ahead very slowly and very carefully.

(Page 585.)

Mr. OLANDER. * * * Now, I think in the drafting of that section 12 and in the support we are giving to section 12 we are showing good faith. We say, let the shipowners have the entire world to draw on for efficient men and get their men anywhere. * * * We are going so far in that respect that there are some people who from what I have heard seem to think that we are going entirely too far, but it just proves our good faith in so far as unionism is concerned. Now, with regard to this charge that the unions would dominate—they are not afraid of that; they are afraid the unions will have something to say—that is, the men themselves will have something to say about the conditions and about the wages and the way they are going to live. There is not anything very bad about that now, is there, for a man to have some right to say that he does not want to work under this or that condition, and he feels that this or that condition ought to be changed? Let us see what their attitude toward the unions really is. Reference was made, I believe, by Mr. Livingstone to troubles that they had with the union, and as a specific instance of how very great these troubles were he referred to a case where it was claimed that in Buffalo on one Sunday morning somebody on deck refused to raise the corner of a hatch to let the grain cargo get a little air. That may be true. Why does he refer to that instance? There were other things a great deal worse than that that have occurred on those vessels and that have occurred since that time. Why was that one particular instance selected? I will tell you why; because that occurred at a time when

the men on the vessels were members of the union. * * * That is, they were men who had gotten together and said, "We ought to try and make things better." I think that is a good thing for a man to do in any walk of life.

Now, other things have occurred since the instance spoken of by Mr. Livingstone, and they make no reference to them. Their vessels have been held up because of murder being committed on them. * * * They did not say anything about that. Why? Simply because union men have nothing to do with it, because the men who were engaged in those trips were men ready to submit to any kind of terms that they desired to place upon them.

ABILITY TO UNDERSTAND ORDERS.

(Pages 75-76.)

Mr. DOLLAR. * * * As this part of the section reads, I am opposed to it as being unnecessary. Especially is it unnecessary in cargo steamers, and it would compel owners when employing Chinese crews to also employ Chinese engineers and officers as they can be got, but up to the present all British steamers carry white engineers, even if they carry Chinese, Lascar, or Japanese crews. The Japanese have dismissed all their white engineers and officers, so now their entire crews are Japanese. Therefore it will not affect them, and also as the desertion of their crews would be prevented by our immigration authorities; so the very nations that this bill aims to hurt will come off scot free.

(Page 77.)

Mr. DOLLAR. * * * I may say that I have Chinese crews on my ships. This bill does not interest me at all, because my ships are British ships, and all I have to do is to employ Chinese engineers in the engine room; and, also, the Japanese will go scot free; but the American ship will be penalized. I wish you would bear that in mind in arriving at a decision on this matter.

Senator BURTON. What do you say as to this provision applying to foreign as well as domestic ships: "That no vessel, except those navigating rivers exclusively and except as provided in section 1 of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than 75 per cent of which, in each department thereof, are able to understand any order given by the officers of such vessel," etc.?

Mr. DOLLAR. I have just tried to explain that, Senator, that in Japanese ships they will be protected, and in my own ships all I have to do is to employ Chinese engineers.

Senator BURTON. Take your British ships. You say it does not interest you because you have British officers.

Mr. DOLLAR. I ship the British officers in Hongkong, which is a British colony, and the Chinese there are British subjects.

Senator BURTON. Do the British officers understand the Chinese language?

Mr. DOLLAR. The Chinese will.

Senator BURTON. What is that?

Mr. DOLLAR. The Chinese officer whom we will employ.

Senator CRAWFORD. The engineer will be a Chinese officer and he can give these orders?

Mr. DOLLAR. Yes.

Senator BURTON. This is the main point; you understand this applies to all ships of all nations?

Mr. DOLLAR. I understand that; and therefore I am trying to explain how it is not going to reach the ships of other nations; but it is going to reach the American ships. That is the point.

(Page 295.)

Senator BURTON. What share of your crew is Chinese and what share is American?

Mr. LACEY. We have 212 Chinese and 58 whites.

Senator BURTON. All those 58 are fed according to the American standard and the others according to the Chinese standard?

Mr. LACEY. Yes, sir.

Senator BURTON. To what extent do those Chinamen understand the English language, if at all?

Mr. LACEY. Senator, we have been running there for eight years, and the word is given, of course, as it is on all ships that carry Chinese help. We have a No. 1 man in the fireroom, No. 2, No. 3, and No. 4. We have on the deck and on the boatswain a No. 1 man, a No. 2 man, and a No. 3 man. Of course all the Chinese do not talk English; but when a man has been traveling for eight years—we change in the fireroom more than we do in the deck crew—the language is understood.

I could go on deck and tell a Chinaman that I would meet him on deck to do so and so, and, while he might not understand as readily as you or I, he would get my meaning at once. In the fireroom we have a different class of men. There is a sort of foreman, as it were, who gives the men the order, and of course they pass it along. It is the same way in the steward's department, where we have a better class of men. They are a little higher class than what are called coolies.

Mind you, Senator, I want you to ask me any questions you wish on this point. I do not want to cover anything up because we are employing Chinese. My argument has been based on the conditions as they exist on that coast.

Senator BURTON. That is, in competition with these foreign lines?

Mr. LACEY. Yes, sir; in competition with the foreign lines.

Senator BURTON. You say a certain number of them understand what you say to them. Suppose some emergency should arise, such as a fire, collision, or being struck by a tidal wave. Those men then would not understand the language that you would employ to give orders, would they?

Mr. LACEY. There would be a great deal of confusion, but this would be true whether the men were white, black, brown, or yellow. I have been in accidents where I have seen the greatest consternation and terror upon the faces of the men. I have seen that, sir, in my experience.

Senator BURTON. At such a time would these foreigners understand what to do? Would they be under control?

Mr. LACEY. Not as a general rule; no, sir.

(Page 179.)

Mr. LITTLEFIELD. * * * Of course, I do not go so far as to say that there are not practical difficulties involved in this situation. So far as the people I represent are concerned, we have not any very serious objection to this particular provision, but it is a very vigorous provision of the bill.

(Page 712.)

Mr. FURUSETH. Closely connected and interwoven with the question of the efficiency is the knowledge of the language of the officers. It is an utter impossibility for anybody to be efficient unless he first understands the orders, and then has, in addition to that, sufficient training to obey them when he understands them. Dealing with that question, Mr. Chairman, I want to call attention to in re Pacific Mail Steamship Co. (64 C. C. A., p. 410), and you can send down to the Supreme Court library for it.

WORKING HOURS—DECK CREW.

(Page 323.)

Capt. HUBBARD.* * * The second provision of this bill which calls for any comment is that contained in line 10, also on page 2. As far as over-sea trade is concerned, this is practically the present rule.

In the coasting trade, however, the situation is quite different. The practice there is to let the watch go below at night with the exception of the lookout man, the watchman, and the four quartermasters. All of these men now stand watch and watch, with the exception of the watchman, who sleeps all day and is up all night. As it requires the full crew to handle the ship making a landing or getting away from the dock, or in working cargo, while at the same time there is nothing whatever for them to do at night, it would practically mean double the number of men carried in order to get as effective service as we have at present. This added expense would not be of any value to the shipowner or the traveling public, but would add materially to the expense of operation which this same public would have to bear, and, of course, be of great advantage to the sailor's union. While this provision will not impose any additional burden on the owner otherwise than in the coastwise trade, it will tend to decrease the discipline on board the ships, and it will be seriously against the interest of the traveling public to so weaken the authority of the master of a passenger vessel over his crew by giving the sailors as their legal rights what is now universally given them by the usual custom the world over as far as American ships are concerned.

(Page 61.)

Mr. DOLLAR. * * * The next is, that the sailors shall be divided into the watches. This I strongly object to, as on the Pacific coast we carry big crews for either stevedoring the cargo or in long voyages to keep the ship in good repair. In foreign countries in cargo ships of, say, 3,000 tons, DW, six sailors only are carried. In fact, in similar steamers our inspection requirements only call for us to carry this number. In this case watch and watch is all right, three men on and

three men off, one at the wheel, one on the lookout, and one to spare. But we carry double this number. This is where the injury is going to be wrought on us who are carrying big crews, because we have to keep those men watch and watch, and we lose a half of their labor.

(Page 519.)

Mr. FURUSETH. * * * We call it the Kalashi watch at sea—
Senator BURTON. What do you mean by that?

Mr. FURUSETH. It is the watch that originally existed among the Kalashis, or the Hindu seamen, along the coast of India—work all day and be called up at any time when you are wanted during the night. That is the real fact of this case. * * *

(Page 166.)

Mr. FURUSETH. * * * A man comes out from one kind of light into another kind of a light, and he is useless when he comes out; everything is in a hurly-burly on deck. One man shouts and another man shouts, and nobody obeys. If the watch is on deck, where they belong, the moment there is any trouble they are ready to carry out the master's or the mate's order. When the crew comes out of the forecandle they are led by the men who are already out. That is safety of life, and I do not care who will say to the contrary, there is not a seaman standing on his own bottom, clean-hearted and without a collar on, who can undertake to dispute the truth of my statement here now.

(Page 530.)

Senator NELSON. But you carry these men, do you not?

Capt. GOODALL. Only for the daylight work.

Senator NELSON. When you get to sea, do you not have them?

Capt. GOODALL. Yes.

Senator NELSON. Are they on the ship?

Capt. GOODALL. Yes.

Senator NELSON. What harm is there in dividing those men into two watches?

Capt. GOODALL. I will give you a very graphic illustration of it. For instance, say that under this bill, as it stands now, caring for the additional sailor, we would be required to carry 32 men on deck with the rank of able seamen or better. Counting the officers, the boatswain, carpenter, etc., we have about 10 men outside of the sailors' forecandle, leaving 22 men to be carried in the forecandle.

Senator NELSON. Do you carry them now?

Capt. GOODALL. No, sir; we carry 8 sailors and 6 deck boys, a boatswain, ship's carpenter, master, and 3 mates. Suppose we had 22 men or 20 men or 14 men, as the case might be, as we have now, including the deck boys—14 people in the forecandle. Seven of those would be required to stand around from 12 o'clock at night until 6 o'clock in the morning. It would be their watch on. I do not know what they would do, but, according to this bill, they would be on watch. In our special instance we arrive in port at 9 o'clock in the morning. Those men going off watch at 6 o'clock in the morning, standing watch and watch, would not be available for the ship's use until 12 o'clock noon. * * * So we are loaded up with sailors

we have no use for. We are simply carrying them on a pleasure trip—an excursion voyage—up and down the Pacific coast.

Mr. FURUSETH. Let me put a couple of questions. The deck boys and the sailors are asleep all night, are they?

Capt. GOODALL. Yes, sir; with the exception of the station men; never called out on the ship, except in foggy weather to throw the lead.

Mr. FURUSETH. What is the speed with which your vessels are run?

Capt. GOODALL. About 20 knots.

(Page 63.)

Mr. DOLLAR. * * * The steamers *Noyo* and *San Pedro* had a collision on a fairly clear night on the ocean, and on both steamers the lookouts were asleep. I owned one of them, and I investigated one myself thoroughly, and I know one of the men was asleep; and worse than that, the officer in charge of my sloop was in the saloon taking a cup of coffee, and I believe the man at the wheel on my ship was very drowsy. I would not wonder that he was asleep, too. So that we were running that ship without a single person awake on the ship.

Senator BURTON. Had they been overworked? Had they been up for unusually long hours?

Mr. DOLLAR. I would have to look up and see when the steamer sailed to be able to tell you that, Senator. I remember the case of the other one, but I do not remember whether that was the case here or not.

(Page 520.)

Mr. FURUSETH. Twenty years ago we asked for watch and watch, because we saw this thing coming. We asked that the watch and watch not be changed or touched. We saw this thing coming. We saw this Kalashi system of watches gradually eating itself into the system. The answer was the same; it was not necessary. Why, gentlemen, change the names of the men who appeared, and insert new names, the names of the men who are appearing now, and those hearings would read as if they were held in the last few days.

Senator BURTON. The hearings were reported in 1894, were they?

Mr. FURUSETH. 1894, 1895, and 1896, and some of the most wonderful things, which I will call up as you take up the sections of the bill, to show that this cry of ours is not a new one.

(Page 110.)

Mr. OLANDER. * * * All of the deck crew are kept up during the entire day, in spite of the fact that one-half of them have already stood a six-hour watch when they got in. She may be unloaded by 8 or 9 o'clock that night. If she is, as a general rule she goes to the iron-ore dock. A great deal of the coal is carried in the fall. In the fall the ore does not run quite as well as it does in the summer time, as a general rule. When they go to the iron-ore dock at that time of the night they work all night, because crews on the decks do not work as fast at night as they do during the daytime. They then go out the next morning, giving both watches about 30 hours. Let me say,

in passing, that this hits the deck hands the hardest and the licensed officers, with the exception of the captain; the two mates and deck hands are hit the hardest, on the average. * * *

(Page 584.)

Mr. OLANDER. * * * These are traders in Lake Michigan. There the hours are a great deal harder than on Mr. Fisher's vessels, where they make two or three trips a week, and each time that they enter port they have to put in from 14 to 18 hours. Now, there are some of them that go even stronger than that, but in that case some of the men get a little overtime pay. Some of the men are worked to the limit of endurance.

(Page 116.)

Mr. COULBY. Mr. Chairman and Senators, I want to just indorse the position taken by Mr. Goulder with reference to eliminating the Great Lakes.

* * * * *

Mr. COULBY. I go further than Mr. Goulder. I take the position, so far as the Great Lakes are concerned, that we be exempted from any of these amendments.

(Page 118.)

Mr. COULBY. * * * The sailors on our boats are well satisfied. They are well treated. We are giving them watch and watch except where, in the judgment of the master, for the safety of the ship or her crew, it is necessary to get the whole crew on deck, and, gentlemen, that is as it ought to be. It should not be changed.

(Page 116.)

Mr. FURUSETH. * * * Now, one moment more. This beautiful condition that exists on the Lakes, that does not need regulation at all—let us say something about it. Out of 120,000 possible men entitled to treatment by the Marine-Hospital Service of the United States in 1905, 57,013 men were treated by the Marine-Hospital Service. Let us see how the Lakes stand in that matter. Buffalo had 2,426 men treated. There is as much sickness on the Lakes in the 8 months, by comparison, as there is on the Pacific in 12.

(Page 167.)

Senator BURTON. Why do you cite the cases in this volume 5 or 6 years old?

Mr. FURUSETH. I got one for 1905, then I got one for 1909, and then I got one for 1911, in order that it might not be possible for the gentleman from the Lakes to say that I had picked out one particular volume. That is the reason I got the whole three volumes here, for 1905, 1909, and 1911. It states not only the number of men, but it states the kind of diseases and whether they were hurts or whether they were injuries or whatever it was. Diseases of the respiratory organs are quite numerous; very numerous, indeed. Diseases that come from overwork are very numerous. I put that as an

opposite to the statement which the representatives from the Lakes and the Atlantic coast made with reference to the "beautiful conditions."

(Page 483.)

Mr. OLANDER. * * * Now, a word about Mr. Heald. He spoke about wanting to have the Lakes exempted. He said there ought to be something different for the Lakes. * * * His vessels trade from Buffalo to Duluth in the package freight trade. His deck hands, every time those vessels enter port, are up from the time the vessels enter until they leave, ranging from 18 to 36 hours' continuous work. I question whether they can show that they ever made two consecutive round trips with the same crew of deck hands; men quit so frequently.

(Page 484.)

Mr. OLANDER. They stop sometimes at Cleveland and Fairport. That means loss of time there for the deck hands. They stop again at Detroit occasionally, and that means all these deck hands are called up when these stops are made and their watches are broken. * * * Just before they arrive at a port then it is all hands up. Those vessels operate that way all season through. For the deck hands they are among the hardest on the Lakes.

(Page 495.)

Mr. OLANDER. * * * This talk about men not being dissatisfied, about the crews being contented, can be disposed of very quickly by an examination of the number of men who are shipped through the offices of the Lake Carriers' Association every year. These offices supply men for the ships. It is easy to ascertain how many positions there are on those ships. Then find out how many men are required to fill them in order to keep the boats going. Even the figures produced by Mr. Livingstone here, the registration in that welfare plan of theirs, shows that for positions that at the outside require 7,500 men they have registered 13,005 men. That only tells part of the story.

In 1908, it was stated here, 40 per cent of their vessels were laid up. That means that 60 per cent only were in operation. They required, in the unlicensed positions, wheelmen, watchmen, deck crew, firemen, oilers, and cooks, a total, in round numbers, of 4,000 men for the 60 per cent. Through these offices, you understand, the captains are not shipped; very few of the mates are shipped, very few of the engineers, so that the shipment figures apply almost exclusively to the unlicensed men. With 40 per cent of the vessels laid up, with only 4,000 positions open, only 4,000 men needed to fill them, the lake carriers' shipping offices in the year 1908 shipped 23,098 men. Do you see the shift going on?

In 1909, with a fleet of vessels that had room for approximately 7,500 men in these positions, with a number of those vessels not in operation, they shipped about 47,000 men. Do not misunderstand me. I do not mean they shipped 47,000 different individuals, but I mean that the shipments through their offices amounted to 47,000. That shows the tremendous shift going on there all the time, and in that year, with a maximum number of deck hands in them of 2,200, the shipments for those particular positions show about 22,000.

The maximum number of wheelmen and watchmen required in that fleet is approximately 2,200; shipments, between 6,000 and 7,000. The maximum number of firemen I should judge to be about 2,300; shipments, over 10,000. That shows some shift. They talk about being proud of their sailors, resent a statement that is made in which it is claimed that a comparatively small percentage of the men on American ships, speaking generally, are American born, and say, "Up on the Lakes we have the American." It is not their fault.

(Page 113.)

Mr. LIVINGSTONE. * * * The resolution referred to her³ is copied in the record in full, as follows:

LAKE CARRIERS' ASSOCIATION,
Detroit, Mich., July 17, 1909.

To the members of our association:

* * * * *

Among the conditions which the association had adopted and established between us and our employees at this time were the following:

"There shall be no Sunday or legal-holiday work, such as painting, scrubbing of paint, or cleaning brass; cleaning of decks, however, not to be construed as unnecessary."

"Crews shall be given time during working hours to, and shall, keep their quarters in clean and sanitary condition."

"In case a vessel goes out of commission before the completion of the trip for which the crew has been engaged, the crew shall receive railroad transportation to the port where the trip was commenced."

"No man shall work more than 10 hours per day for one day's pay without a watch below, unless he is given watch and watch, the captain, however, to be the sole judge as to the necessity of when he requires the services of the whole crew."

"All vessels shall provide well-lighted, well-ventilated, clean sleeping quarters, properly heated in cold weather; the beds shall have good mattresses, springs, and pillows, and clean linen at least once each trip. All vessels shall carry a full equipment of life-saving apparatus."

* * * * *

I send you herewith a sufficient number of circulars to supply the officers of your respective ships, with the request that you kindly see that they are furnished with same, as it is all important that the officers of our ships should clearly understand the course our association has adopted regarding the treatment of its employees.

W. LIVINGSTONE, President.

Mr. LIVINGSTONE. This was a circular I sent out as president of the association, a second circular July 17, 1909, and a corresponding circular was sent out immediately after April 9, somewhere about the 10th of April, 1908. I merely cite this scheme, on file along with others, in reply to some things Mr. Olander said.

(Page 478.)

Mr. OLANDER. * * * In the shipping offices of the Lake Carriers' Association they have notice after notice concerning the employment of the men. On board many of the ships they have several of the notices posted; but that circular is posted nowhere. It was issued in July, 1909, put into the papers then, produced in the hearings of the Committee on Merchant Marine and Fisheries, and produced here. Those are the only places I have ever been able to discover it. Good care is taken that it does not reach the men, because that proposition that the working hours ought to be limited to 10 hours and then a watch below given or else more pay given, if posted

on the ship would be an invitation to the men to insist upon getting those rights; so that it is very carefully kept out of the hands of the men.

(Page 115.)

Mr. SMITH. Mr. Livingstone, let me ask you a question, please. The regulations, or instructions, which you have just read and filed with the stenographer are rather wholesome in their character and have probably commended themselves to the judgment of the association.

Mr. LIVINGSTONE. That is the action of our executive committee.

Senator SMITH. Do you hold that laws giving effect to such regulations as that are unnecessary or undesirable?

Mr. GOULDER. Both.

Senator SMITH. Both?

Mr. GOULDER. Yes, sir.

Senator SMITH. Unnecessary and undesirable, in that the things you have provided for are voluntary, and you want credit for them?

Mr. LIVINGSTONE. I do not know that we want credit for them. We think it is only fair between man and man that we should have these things.

Senator SMITH. You would rather do these things voluntarily than be called upon to do them as a matter of law?

Mr. LIVINGSTONE. Decidedly.

Senator SMITH. And these things you have just read have been promulgated as the voluntary act of your association?

Mr. LIVINGSTONE. Absolutely; and these are printed circulars we have sent out, and they are sent to all the masters, with instructions from the executive committee to follow them out to the letter; also with orders that if they are not carried out to report to us and the officials of the association will see that they are carried out.

Senator SMITH. Have you any objection to their becoming law?

Mr. LIVINGSTONE. Yes.

(Page 221.)

Mr. COULBY. * * * I contend that the most pernicious practice that was ever instituted on a ship is this question of overtime. Sailors, like everybody else, are human. They want to make all the money they can. If the committee desires to pass some legislation preventing these long hours of work on board ship, hold the master of the ship responsible. Prohibit him from working his men more than watch and watch, except when in his judgment it is necessary for the safety of life and property, and penalize him by revoking his license for any violation of this rule. Then you would put every owner of a ship on exactly the same plane. He can not pass the wink across to his captain that "It is all right; use your crew and work them overtime." He can not do it by law. You uphold his hands. I can not hire him, and nobody else can hire him. If he violates that law, he loses his means of livelihood.

That is all I have to say on that particular part of the section.

(Page 249.)

Mr. COULBY. * * * I do not want to pose here, gentlemen, as an obstructionist. I do not want any paternalism. I do not want any

feudalism. I want to see put in the statutes things that can go there, that should go there, and that can be applied.

To illustrate: I made my argument this morning, which I shall allow to stand, against eight hours in the fire hold constituting a day's labor. I would be very glad, indeed, to see written into the statutes a provision that no man connected with the navigation of a ship should be allowed to work over 12 hours out of 24, except when, in the judgment of the master of the ship, it is required to save life or property. I should like to see written into the statutes of the United States a provision that no man should work more than 12 hours out of 24, even if the employers were willing to pay him \$20 an hour for overtime, just to make money for the vessel. I should like to see written into the statutes of the United States a clause that would insist upon the master of the ship seeing that the crew that was going to take out the ship should have a watch below before the ship sailed.

The only things I do not want to see written into the statute are such things as insisting upon the owner keeping clean quarters on his ship at sea, or that the men shall not do any unnecessary work—those things that I called your attention to this morning that make endless confusion. But anything to protect the sailor or the ship, to reduce his hours of work to what I consider is not more than a day's work, I would be very glad, indeed, to see you write into the statutes, and penalize somebody if it is not carried out.

I thank, you, gentlemen, for giving me an opportunity to clear up that point.

(Pages 232, 233.)

Senator SMITH. Mr. Goulder, let me ask: Your principal objection to this bill is directed to sections 1 and 12?

Mr. GOULDER. Yes. I have some personal objection to some other things, but from the standpoint of my clients, those would be my principal objections. I have some other objections, as a man, to things in this bill that my clients do not care about.

Senator SMITH. Representing your clients, you do not seriously controvert these other provisions?

Mr. GOULDER. No. I controvert the watch-and-watch proposition.

(Page 374.)

Mr. LIVINGSTONE. * * * We contend that the most pernicious practice that was ever instituted on a ship is this question of overtime. Sailors, like everybody else, are human. They want to make all the money they can. If this committee desires to pass some legislation preventing these long hours of work on board ship, hold the master of the ship responsible.

We firmly believe that no man concerned in the navigation of a ship should work more than 12 hours a day, and that a ship should not be allowed to leave port until every man had had a watch below. Prohibit working the men more than watch and watch, except in cases where, in the judgment of the master, it is required for the safety of life and property; and to make this effective, provide that the master may not hold his license if he violates this rule, so that no owner or manager can employ a master except with this thoroughly understood condition. You will then have accomplished the result

of prohibiting more than 12 hours' work out of 24 except in those exceptional cases we have referred to, and effectually eliminated overtime.

(Page 338.)

Mr. HILL. * * * As soon as that vessel has unloaded, she then goes to her dock. If she unloads in Duluth, it is possibly 5 or 6 miles of a run to her dock. She gets down to her dock, goes there to load, and, if she loads in Duluth, it is not more than 25 or 30 minutes to the dock. The loading of the ore vessel occupies usually 10 hours, I think, on a fair estimate. * * *

Senator BURTON. Would that include the time of getting up to the dock?

* * * * *

Mr. HILL. That is after she gets to the dock, Mr. Chairman.

Mr. GOULDER. After she has docked, she is docked 10 hours?

Mr. HILL. After she is docked, she is docked 10 hours. In going to the dock—when she gets to her dock—the hatches, of course, are taken off, and the ore is ready, and the men are there loading the ship that are required to load it—the men who have to move the ship back and forth. The firemen are on duty firing, and, of course, it is not as hard as it is when you are running.

(Page 338.)

Senator BURTON. How many of the crew are occupied with the work during that time, and what is their work? There is danger that in reading this record there will be a good deal of this nature that is not very material to our inquiry. It rather tends to divert attention from the main questions. How many men are occupied, and how?

Mr. HILL. Usually the entire crew—that is, the deck hands, what we call the deck hands, and the mates and watchmen. If there is a watch off, there is one watchman on and one wheelsman turned in.

(Page 341.)

Senator BURTON. Have you made any calculation as to the number of hours per day the deck hands and others are employed?

Mr. HILL. We have made a rule in our line, Mr. Chairman, the rule has gone out in our line, that the men are to have watch and watch; they have watch and watch. I would state this—and I am open to contradiction by anybody—I can state that I have seen, myself, right on our own vessels this year, where the vessel was lying in port of a Sunday morning, I have seen one of the firemen going to church; I have seen the crew going to a ball game; I have seen them enjoy themselves just the same as you and I do.

(Page 343.)

Mr. OLANDER. I would like to ask Mr. Hill if he did not make this statement, that at the ore dock, while loading, it was usual to have the entire crew of deck hands up, and both mates, and that sometimes one of the wheelmen and one of the watchmen was turned in, that is, while they were loading at the ore dock. Did you make that statement?

Mr. HILL. Yes; I think I did.

(Page 490.)

MR. OLANDER. * * *. The difference between an ore-loading dock and a coal-loading dock is this: The ore-loading dock is a long dock with a number of spouts on it. They can drop one into each hatch and can, if they are making a record load, open every pocket at the same time and dump it right in quickly. The coal dock, on the other hand, consists of a big car-dumping machine with one spout, which can only go to one hatch at a time, and the vessel has to be moved.

(Page 493.)

MR. OLANDER. * * *. It is easier to handle the vessel at the ore-loading dock than it is at the coal-loading dock. Mr. Hill stated that at the ore-loading dock all hands were up. If they have to be up there, they have to be up at the coal dock.

(Page 340.)

Senator BURTON. What do the deck hands do when the boat is in motion?

MR. HILL. When the boat is in motion—you see, on a modern freighter, we carry six deck hands. Four of those deck hands are designated as coal passers. * * *

MR. HILL. * * *. When the boat is loading coal at a coal dock there is a little more work connected with it than there is when you are at the ore dock and loading. With the ore-loading machines on the dock, after the vessel is made fast to the dock of the ore-loading machine, the vessel stays in that position until she has been loaded, due to the fact that the ore-loading machines travel on a track on the wharf, and they move those machines from hatch to hatch. The hatches on those boats are different. Some are 12 feet from center to center of hatch, some are 24 from center to center. But at a coal dock, unloading coal, a little more labor is required in regard to the deck hands, because we have to shift the boat, then, from the coal-unloading machine, which is stationary. The cars are run in and hoisted and dumped.

(Pages 491, 492, 493.)

MR. OLANDER. * * *. The next day they get up before the longshoremen come, take off the hatches, and get the vessel ready to unload; and they have breakfast, of course, and proceed with their own work during the day. At night, after the longshoremen leave, they put on the hatches and sweep up the deck. The decks have to be swept up not only as a matter of cleanliness, but as a matter of safety, because with chunks of ore lying there, men coming along might fall over them and trip right over the rail. So that there has to be some cleaning done. They get through about 7 o'clock. They get an 11 or 12 hour day, even under such circumstances. * * *. The next day we go at the general work around the ship until about noon. * * *. We are on the third day now; we are taking the extreme time mentioned by Mr. Hill, letting her lie at the dock as long as possible. * * *. Along about noon, the vessel beginning to get unloaded, the crew have to get down into the hold;

there are beams of all descriptions in there and corners, and the coal has to be scraped off. * * * We can not all be down there, because somebody has to be on deck looking after the vessel. So she is unloaded about 6 p. m., about supper time, and at 7 or 8 o'clock we are at the ore dock. The iron-ore docks, as a general proposition, work night and day. The amount of Sunday work, as has been stated by the other side, is growing less and less, and there is not so much of that at those docks; but they are working day and night, continuously. We get to the ore dock at 7 or 8 o'clock, and we put 10 hours in there. During those 10 hours, as stated by Mr. Hill, the deck crew has to be up.

Senator NELSON. Does it take 10 hours to load the ore?

Mr. OLANDER. From the record cargo of an hour or so, Senator Nelson, up to 24 hours. We hear a great deal about the record cargoes, throwing 10,000 tons in a comparatively few minutes into them. But that is the rare exception. We are frequently at those docks much longer than 10 hours. I am taking Mr. Hill's average, however, or 10 hours, which was agreed to by several other representatives among the opposition. * * *

This vessel, loaded at 5 or 6 o'clock in the morning, goes out of port, and one section of the crew has then put in from 24 to 25 hours, the other half of the crew that then goes on the watch to take her out when she is out on the Lake, before they are relieved put in 30 continuous hours of work. * * * and if that crew has to batten down the hatches, * * * as they ought to do most of the time—and this is being neglected on the Lakes now, they are taking considerable chances in that respect—if that is done on a vessel, say, with 36 hatches, it means that the entire crew will have about six hours more of continuous labor added to the time I have given, because it will take from three to six hours to do that kind of work. * * * Only half of the crew, if we are fortunate enough to go through the Soo fairly lively, will lose their watch there. They may lose from two to four hours from their watch below. * * *

We enter Ashtubula about noon and start unloading. Mr. Hill stated that the average at the unloading dock was seven or eight hours. That gets her unloaded about 8 o'clock. We go over to the coal dock about 9 o'clock; it does not make any difference whether we do not go there until between 10 and 11, because in the interval the crew are up, unless the dock is at another port. * * * The whole crew has to be up there, because it is easier to handle the vessel at the ore-loading dock than it is at the coal-loading dock. * * * So that 12 hours' time makes it 11 o'clock in the morning when she is loaded, and at noon the hatches are on and the vessel is out, and one-half of the (deck) crew has had 24 continuous hours and the other part has already had 24 and is going to get another 6 hours going out. Thirty hours for one half and 24 for the other. That goes on trip after trip in a greater or less degree. The description

(Page 346.)

Capt. JOHNSON. * * * We work our men watch and watch. We let them sleep all night—that is, the deck hands—even though we are working watch and watch. We do not call them up, and we let half stay below and the other on deck; and the same with the wheelmen and the watchmen.

(Pages 485-486.)

MR. OLANDER. * * * Let me illustrate: I worked in that company about 10 or 11 years ago. I was wheelman on the steamer *Presque Isle*, a ship described by Mr. Johnson. He said she is as good as they make them to-day. When I shipped aboard of her I was assured that the hours would be all right. On the first trip when we came to Marquette the ore came a little slow. Before we got her loaded we had been 24 hours continuously on deck. Then I had to take the wheel—6 hours more work. We got down to Ashtabula, and there was another drill of 18 hours there; in the meantime being called up at the Sault and losing a watch there. Before leaving Marquette, however, Capt. Lowe, who was in command of the ship, called us together when he got up in the morning, and we were standing around sleepy and tired, and said, "Been up all night, have you? I am not going to let this happen again. I am going up to see those dock men, and when the ore comes slowly hereafter we will let it go until morning." The next trip, when we got up to Marquette we got the same dose, and the next morning we got the same story from Capt. Lowe. With one interruption, I think, that was repeated for five trips. That does not illustrate the condition in the whole line. That line got its reputation from the other vessel that was running along with us. There were four men out of the crew on that vessel that did get watch and watch a good deal of the time, and so word was passed out that they were getting watch and watch. With reference to this question of watch and watch on the Lakes, for a great number of years absolutely no consideration was given to the deck hands.

(Pages 386-387.)

MR. SMITH. * * * There is a positive order in force that every man aboard ship shall receive watch and watch, and in order to see that those things are carried out—for we sometimes have captains and mates that are human, and they may call a man out for a few minutes just to help out a little bit—Mr. Coulby has put two men on duty, and the duty of one is to go around the boat and see if the rules are carried out. He does not have anything to say; he simply goes around and sees that the rules are carried out, and if they are not carried out, he reports that to the office. The other man he puts there entirely for the protection of the * * * deck hands, wheelmen, watchmen, all the men that are not licensed. He is placed there for that purpose, and he takes their side if there is any complaint made, if the engineer does not treat the fireman right, or if the mate does not treat the deck hand right, or anything of that kind; he goes around and talks with the men and gets the men's side of the affair, and if he thinks the complaint is worth looking into at all, he takes it up right then and there between officer and man.

SENATOR BURTON. You do not mean there are two such men on every ship?

MR. SMITH. No, sir; two in the line. They catch the ships at the different ports.

(Pages 388-389.)

Mr. OLANDER. There is one whose duty it is to see that the men get fair play?

Mr. SMITH. Yes, sir.

Mr. OLANDER. Are those men known among the men?

Mr. SMITH. It is their duty to go and talk with the men.

Mr. OLANDER. And to introduce themselves as representatives of the company?

Mr. SMITH. They go and ask them if they have any troubles or any complaints to make.

* * * * *

Mr. OLANDER. Have you any objections to giving the names of those men?

Mr. SMITH. The one of them who looks out for the carrying out of the rules is Capt. Watt, and the other one is named Nesbitt.

Mr. OLANDER. Is that the Mr. Nesbitt who was employed as shipping master by the Lake Carriers' Association for a number of years?

Mr. SMITH. He may have been; I do not know.

Mr. OLANDER. Is he not known as the shipping master of the Pittsburgh Steamship Co.?

Mr. SMITH. Not that I know of; no, sir. I will say this, so that there will not be any misunderstanding about it, that he does look after getting crews for the vessels, but he has never been appointed as shipping master.

Mr. OLANDER. His business is to look out to see that they have crews for the vessels?

Mr. SMITH. That is part of his business.

Mr. OLANDER. Is it not his principal business to see that the shipping masters of the Lake Carriers' Association furnishes the vessels of the Pittsburgh Steamship Co. promptly with men?

Mr. SMITH. That is one of the duties.

Mr. OLANDER. That is his main duty, is it not?

Mr. SMITH. That is one of the duties.

Mr. OLANDER. Is it his main duty?

Mr. SMITH. No; no more than the others; no more than looking out for the welfare of the men.

Mr. OLANDER. At least it is one of his duties?

Mr. SMITH. It is; yes, sir. He has shipping masters, you understand, that go around and get these men. He does not have to give that out of his time. That is one of his duties, to see to it that these men do attend to their business.

Mr. OLANDER. Do you know whether he is familiarly known on the Lakes among the men—pardon me the use of the term—as the Steel Trust shipping master?

Mr. SMITH. I do not know.

Mr. OLANDER. Did you ever hear that term?

Mr. SMITH. I do not go among the men enough to hear that. I never heard that term used.

(Pages 489-491.)

Mr. OLANDER. * * * He stated that Mr. Coulby does not want the men to work off watch. I do not know exactly what Mr. Coulby wants, and I do not want to dispute that, but I just want to state this, to repeat the assertion I made in my opening statement before this committee, that they do work off watch and have been doing it for years. * * *

Now, Mr. Smith stated, as evidence of the fact that Mr. Coulby does not want the men to work off watch, that there was a man going around attending to the wants of the men. * * * I asked Mr. Smith what that gentleman's name was, and he said it was Nesbitt. I asked if it was not his business to serve as a shipping master for the Pittsburgh Steamship Co., and Mr. Smith said yes. I asked him if that was not his most important duty, and he would not admit that, but he said it was one of his important duties.

Mr. SMITH. I beg your pardon. I said he was overseer of the shipping masters.

Mr. OLANDER. I thank you for the interruption. That is a better term, overseer of the shipping masters. Let me tell you who these shipping masters are.

The Lake Carriers' Association have shipping masters in all the most important ports; that is, Milwaukee, Duluth, Ashtabula, Conneaut, and ports like that. The business of these shipping masters is to supply ships with them. It does not make any difference what a man quits for, the moment there is a vacancy it is their business to fill it, no matter how many, or the causes. Mr. Nesbitt, as indicated by Mr. Smith, is the man employed, special agent, by the Pittsburgh Steamship Co. to watch those shipping masters and see that they supply men promptly for that particular company, and this is the man who Mr. Smith says is supposed to go around to the crews and see whether they have any complaints. * * * His business is to see that the places of the men are filled when they quit. That is what his business is.

(Page 765.)

Mr. SMITH. * * * I am quoting Mr. Coulby when I say that you can write it in the laws in the strongest language that you can frame that no man on our ships shall be permitted to work more than 12 hours in any one day of 24 hours.

Mr. GOULDER. That is, to be on duty that time?

Mr. SMITH. Yes, sir.

Mr. GOULDER. To be on duty, whether he is working or not?

Mr. SMITH. Yes, sir; to be on duty; put it that way. To be on duty more than 12 hours. I believe every line in the Lake Carriers' Association would agree to that condition.

(Page 785.)

Senator NELSON. Then, as I understand you, when your boat makes port you do not call out the whole crew; you only use the crew that is on watch. Is that true?

Mr. SMITH. When the boat makes port our orders are that they shall have watch and watch everywhere.

Senator NELSON. Yes; but you do not exactly answer my question. When you make port do you call out of your crew more than those on watch; do you call out those who are not on watch?

Mr. SMITH. That is the orders from our office, that they shall call only those on watch. If there is any variation from that, I would like to have the captain answer.

Capt. MURRAY. I can not be on two boats at once.

Mr. SMITH. Do you on your boat?

Capt. MURRAY. I can say, candidly, that we work watch and watch. We do not call anybody, except the second mate at times.

(Pages 785-786.)

Senator NELSON. You would have no objection, then, to stating that, except in the emergencies of navigation, the perils of navigation, or whatever the proper term would be, no man should be required to work more than 12 hours in 24?

Mr. SMITH. No, sir; I would have no objection.

Senator NELSON. And be no longer on watch at any one time than six hours—six hours on and six hours off?

Mr. SMITH. Yes, sir.

Senator NELSON. Those are the limitations?

Mr. SMITH. Yes, sir.

Senator NELSON. That is, not 12 hours in one string?

Mr. SMITH. No.

Senator SMITH. I do not quite understand you. Mr. Coulby made the statement the other day that he was perfectly willing that we should make it unlawful for a man to work more than 12 hours out of the 24. That means that a sailor shall be deprived of the right to earn overtime if he wants to.

Mr. SMITH. That would be the way to stop this extra standing.

Senator SMITH. I say that is what he said.

Mr. SMITH. Make it that strong.

Senator SMITH. I do not understand that was acquiesced in by the gentlemen representing the labor organizations.

Mr. SMITH. My language, Senator Smith, was, I think, that no man should be permitted to work more than 12 hours in any one day of 24.

Senator SMITH. Unlawful for him to do so; that it should be unlawful for him to contract with the master to do so.

Mr. SMITH. A man should be in good condition to be on watch when he goes outside.

Senator SMITH. Or on the deck; that the public should have these men in good physical condition; and if they were foolish enough to contract to work more than 12 hours the interests of the public ought to prevent them doing it.

Mr. SMITH. We think a man who has been working overtime, 18 or 24 hours, is not fit to go on watch outside.

Senator SMITH. We fixed that absolutely by law in the train service; and the same rule, I understand, you would like here.

Mr. SMITH. Yes, sir.

(Page 787.)

Mr. SMITH. I do not think that would affect our business at all, if we were lying in port a day or two. Some boats lie there three or four days, or a week.

Senator BURTON. In that case, you would not object to a nine-hour day in port?

Mr. SMITH. I do not think so.

(Page 812.)

Mr. OLANDO. I should like to ask one question. Did I understand you to say, Captain, that you thought it entirely unnecessary to continue this practice of calling all hands when going into port?

Capt. MURRAY. Yes, sir. I stand by that emphatically. I have not called the watch going in or out of port for some years—a good many years.

Mr. OLANDER. You believe that can be applied generally to practically all the boats, do you?

Capt. MURRAY. That can be applied to practically all of our boats. It has been some years since I called the watch going in and out of port, and I think it is a relic of past ages.

(Page 572.)

Mr. FISHER. * * * As I understand it, this bill provides for an increase to the crew on the ship. It also includes larger rooms, and all round increases expenses. In summing up the whole matter, these boats can not stand any further increase. Just to show you the way the lumber fleet has fallen away: Six years ago, when the Lumber Carriers' Association was formed, there were 537 boats in the association, and this spring there were 227 ships on the entire chain of Lakes that could carry lumber. This has been brought about by the fact that these boats have not been able in the past to make money enough to keep up repairs, to say nothing of an owner undertaking to build a new vessel.

(Page 579.)

Mr. OLANDER. I would like to ask some questions. Has there been any material change in the lumber rates during the past six or seven years?

Mr. FISHER. As I stated, this fall the rates were better than they have been for the past two or three years. What the average would be for the season I could not say. It might average a little bit more.

Mr. OLANDER. Do you call the worst this season better than the average in the last six or seven years?

Mr. FISHER. On an average?

Mr. OLANDER. Yes.

Mr. FISHER. Well, they have been a little better this year than for the past three or four years.

Mr. OLANDER. You are president of the Lumber Carriers' Association?

Mr. FISHER. Yes.

Mr. OLANDO. Is your business exclusively a vessel business?

Mr. FISHER. No.

Mr. OLANDO. Are you in the business of buying and telling lumber, in addition to running your vessels?

Mr. FISHER. We buy, sell, manufacture, and do anything we can to make an honest dollar.

Mr. OLANDER. So that your vessel business is incident to your other business?

Mr. FISHER. It is a separate business from the lumber business.

WORKING HOURS—FIREMEN.

(Pages 119-120.)

Mr. FLYNN. Mr. Chairman, might I ask Mr. Coulby one question with reference to this particular section? There is a question dealing with the fireroom here, and I would ask if there is any objection to the three-watch system in the fireroom or in the engine room?

Mr. COULBY. Yes; certainly there is objection to that. That is done in various ways on various ships, according to the convenience of various ships, and there is no reason, nor can anyone furnish any reason, why there should be an arbitrary rule on the subject.

You have presented the proposition of fire-hold temperature. It has been said that the fire-hold temperature is excessive in our modern ships, where the work is excessive, and we can show the contrary. We can show better and cooler air in the fire hold than in the engine room.

(Page 133.)

Mr. FLYNN. Now, Mr. Chairman, after going through that—of course, I presume the lakes are no different from anywhere else as to the peculiarities of weather, and so on—there are times when the smoke is standing perpendicular in the air and there is not even a breath of any kind. Common sense alone will show that that is not a comfortable place to be in or to expect a man to stay in for six hours under such conditions.

(Pages 218-219.)

Mr. COULBY. * * * If you are going to pass legislation prohibiting the boys on the Great Lakes from working more hours per day during the sailing season than the firemen on the Atlantic coast work, why not carry the legislation still further and provide that they shall not receive any more pay? It seems to me that if this legislation is passed some of the owners on the Great Lakes, if not all of them, would be warranted in eventually reducing the wages to the same level as those on the Atlantic coast, if the hours of duty are also reduced.

(Page 219.)

Mr. COULBY. * * * There is no man in this room that is more strongly opposed to overwork than we are, but is it not fair to compare the hours of labor on a steamer with those ashore, for the reason that while men may put in only 8 hours' actual labor on shore there is a certain amount of time occupied in going backward and forward to their employment, for their meals, and probably doing work that they may find congenial and necessary around their

homes. They have time for recreation with their families ashore that the sailor, from the necessities of the case, is deprived of. I contend that it is not asking too much and that the hours are not too long for 4 men to handle about a ton and a half of coal per hour for 6 hours, with 6 hours below deck for sleeping. There is no loss of time to a sailor in getting to and from his work or to and from his meals. His meals are served promptly; and working 12 hours a day, with two 6-hour watches, it certainly gives him 10 hours for sleep if he requires it and 2 hours for his meals.

(Page 132-132.)

Senator CRAWFORD. Is the man exposed to greater heat when he is cleaning the fires than he is when he is shoveling coal into them?

Mr. FLYNN. Yes, sir. Here is the fireroom. [Indicating on photograph.] Those are the ash-pan plates. Those are now raised because the vessel is lying in the harbor. When she is at sea and running, those are closed. When they clean the fires those doors are opened. This is the fireroom under the system of forced draft that we are speaking about. The ship is in port now, and the draft is shown down in the engine room, and the ash pans are raised up so as to give the little draft required to keep steam on the boilers. When the ship is in operation those are closed, and the men have to open this door; and some men, when cleaning the fires, "wing" them, as we call it. That is, all the good char is put to one side of the furnace, and then the man has got to haul all this slag and hot char and everything else out in front of him here; and with the coal that is on the back here, half the time he is cleaning those fires he is standing on hot char.

Mr. SMITH. If you will pardon me, so as to save time, right there, is it not a fact that all the time he is doing this another man is standing there, either with a hose or a bucket of water, to wet this down as fast as it is dropped on the floor?

Mr. FLYNN. That is true; but you know yourself, Mr. Smith, that while this man is drawing this fire the coal passer, as he is called, can not play the hose on him, for the simple reason that when the cold water would strike this hot fire it would come back in the shape of steam and the man would be burned.

Mr. SMITH. I agree with you, yes; while he is pulling it out; but just as soon as it is pulled out it is wet right down.

(Pages 120-121.)

Mr. SMITH, of Cleveland. * * * Our men do stand six-hour watches—six hours on and six hours off—in the fireroom. * * * They have two boilers, with three furnaces in each boiler. Our firerooms are, in a modern steamer, 12 feet in a fore-and-aft direction and the full width of the ship. We have two ventilators leading down through the top of the house, and, in addition to that, we have two wind chutes 5 feet square. One of those comes down in front of each boiler, so that a man at all times can be right in direct communication with pure air from the outside. * * * The coal is piled up in the bunker to the top of the ship, so it runs out the greater part of the voyage on the floor. We have two men with the firemen there as helpers to trim this coal up and break it up and get

it in position for the men to shovel into the furnaces. These men also take the ashes and shovel them into a hopper on each side of the ship, and that is lifted overboard by machinery or, in some places, shot out by a jet of water.

Now, these men go on watch at 6 o'clock in the morning. They first clean the fires. It takes about an hour for four men to get these six fires cleaned and the ashes overboard. Then the ordinary practice in our line is that one of these firemen goes and sits down and the other fires both boilers. They divide up the balance of this watch between them. If the work were very hard, they would both stay on watch. When the man is not on actual duty firing the boilers he is at liberty to do anything he desires during that time. Nobody interferes with him at all. That is his option.

Senator BURTON. Are you able to give any estimate of the average number of hours a fireman is occupied on one of your boats a day?

Mr. SMITH. He is on duty during the whole 12 hours, but he is actually occupied, as I said, about an hour. We will put it this way, to make sure of it: Suppose it takes an hour and a half out of the six hours that they are on duty, the balance of the watch is divided between the two men.

(Pages 250, 251, 252, 253.)

Mr. CONWAY. * * * The first thing I do is to take my shovel and go over the three fires. If I am going to clean fires first, I only fire up two furnaces. Then I immediately go over and get what is known as a slice bar. * * * It is a piece of iron about 10 feet long and about three-quarters of an inch in diameter. * * * I put it in the furnace, and I shove from one side of the furnace all the good fire, that is naturally on top. * * * I go over and throw a couple of shovels of coal in and on that, so it will be burning and so that I will have bed enough to throw over. I then take a hoe * * * and I put it in there, in that furnace—these furnace doors being all the time open—and I pull all the clinkers and ashes out. Lots and lots of times, very often, I can not pull those things out until I get my slice bar under the clinker, and go and get a piece of pipe and take it and put it in the handle of the slice bar and turn it up to break the clinkers.

I pull this, mind you, right out in front of me. This often burns my feet. I have often burned my feet in my shoes. I very often step on hot clinkers, and, besides, there is this gas, especially on forced-draft boats. It is very gassy there.

I heard a man say here the other day that a coal passer stands there and throws water on you. I would have a lot of sympathy for myself if I were ever cleaning a fire with my hoe in there and the coal passer ever threw any water on that fire that I pulled out, for the steam that would come up would burn the face off of me. It is impossible. But I very often will be pulling a fire, and if the fire is very dirty, when I get part of it out, I step back and tell the coal passer to throw that water around there, and he throws the water around and he kind of cools it off—that is, if it is beyond my strength to stand the heat. The quicker I get those fires cleaned the better it is for me.

Senator NELSON. Does not the coal passer help you in that work?

Mr. CONWAY. Only with the water. He throws on the water.

Senator NELSON. What is he doing in the meantime?

Mr. CONWAY. He is waiting there with the water, ready to throw it on.

* * * * *

Senator NELSON. Why do you not get him to help you?

Mr. CONWAY. It is impracticable to have two men cleaning one fire. It is impracticable to have two tools in there.

Senator NELSON. Why could not one of you clean one fire and the other the other? Why have him standing there waiting?

Mr. CONWAY. If I were cleaning one fire and he were cleaning the other, the steam would drop down. Mind you, Senator, I am not supposed to lose one pound of steam as long as I am cleaning fires, either. * * * Then, after I clean that fire, I shove it over. I spread the good fire and then I fire up. Then the man on the opposite side cleans the fire and goes over the same thing as I do. Then I take another fire and I clean it; mind you, all the time holding up the steam. The boat does not check down. They are using just as much steam when you are cleaning fires as they are when you are not cleaning fires. After I get the second fire cleaned he cleans his. Then it comes to the third fire, and I clean my third fire and then he will clean his.

All those ashes have got to come out there; and, mind you, firing a steamboat is not simply a matter of throwing the coal from the floor of the fire hold into the furnace. Coal does not always burn, and especially the kind you get on the Great Lakes, unless you coax it along. You have got a hook there; and I am conservative in saying that after every two fires that you give a furnace you have got to break it up with a hook.

Senator NELSON. It cakes in the furnace?

Mr. CONWAY. Yes; it cakes. Soft coal cakes, especially the coal you get on the lakes.

* * * * *

Mr. CONWAY. After you clean the fires, you are continually firing. You may have three, four, or five minutes between fires, but six times out of ten you have got to half-sole a fire, as they call it. * * * And you get back and shove this fire about halfway back. Then you break up the clinkers in the front, and you have a clean fire halfway back that will burn the coal. * * * I went down to the *Hulbert Smith* on September 4, 1912. She was lying at the Wheeler elevator at 11 o'clock in the morning. There was a northwest wind blowing about 20 miles an hour. The bunkers were clear. The ventilators were turned right into the wind. She had only 115 pounds of steam on then, with the fires banked. * * * When I went down in the fire hold I took that thermometer and put a string around it and put it right on my chest, and I kept continually walking back and forth in the fire hold for over 25 minutes. That is how I got the temperature. * * *

There is a lot more work to do besides throwing the coal in the furnace. You have got to keep the bottom part of your fire loosened up so that the draft will come up through it. If you do not, it will not burn. When you are doing that, you have got to have these furnace doors open. And, gentlemen, I want to tell you that when you are cleaning a fire you are not that far away [indicating] from

the front of the furnace—not that far; well, I will say that far, no farther. You can not face it. It is impossible to face it. You have got your head down like that [indicating].

(Page 256.)

Senator CRAWFORD. Then there is dust in the air, is there?
Mr. CONWAY. There is considerable dust.

(Page 261.)

Mr. BROWN. Senator, regarding the statement Mr. Conway has just made, there are a good many people here who can corroborate everything he has said. He told the truth thoroughly, sir.

(Page 266.)

Senator CRAWFORD. Before you leave I should like to ask you a question. You think you ought to have these three watches?

Mr. BROWN. Assuredly, Senator; yes. I have no love for the position I hold at present. I want to go back to my calling and those are the conditions that I want to work under—a four-hour watch on and eight hours off.

(Page 122.)

Mr. SMITH. * * * During the very heated weather, according to statistics, the temperature in our firerooms is lower than the temperature on deck. Right out on the spar deck the temperature is higher. That may sound like a very strong statement, but it is a fact. The fireroom is away below the water line, and it is cooler there than on the spar deck, where the sun shines.

Now, I would like to say a word in regard to conditions.

Senator BURTON. You do not maintain, Mr. Smith, that this condition that you describe is general in all firerooms of all boats the country over?

Mr. SMITH. I am now, Mr. Chairman, speaking of the marine bulk-freight carrier on the Lakes.

Senator NELSON. Necessarily there must be a little heat right in front of the furnace?

Mr. SMITH. Yes, sir; when the doors are open the men do perspire some.

Senator NELSON. There can not be an Arctic cold right in front of the furnaces?

Mr. SMITH. No, sir; that is very true; but I will say this, that our fireroom has a very much lower temperature than our engine room, and we have the best ventilated engine room that there is in the world. With the equipment we have, including the four big ventilators going down into the engine rooms, they are comfortable at all times. That is the point I want to make. It is warmer than it is here, of course, but when the men sit down away from in front of the fire they at times have actually to turn these ventilators because the temperature is too cool.

(Page 359.)

Mr. RILEY. In regard to the firemen proposition, I want to say this for the Shenango Co.: We have three boats and we carry nine firemen, and on either of those boats two men can take them, and do take them, time after time. When they get the fires cleaned out, invariably they will want to go to their room or go somewhere and sit down, and the other will take it for a period of time. That is the way that works out. Those boats burn 2,800 pounds of coal per hour. There is not any of that class of boats what you might term a hard boat. There is not any, and the time spent in port is pretty near 45 per cent of the actual time.

(Pages 254-255.)

Mr. CONWAY. * * * I was referring to that matter of 2,800 pounds of coal. That statement is very misleading. It is not hard work to handle 2,800 pounds of coal an hour. I can do it alone. I could do it under the conditions I speak of if I did not have the other work to do to see that it burned. There is no use putting coal into a furnace if it does not burn.

There are a whole lot of things you have got to do. You have got to get your slice bar, if you have got a clean fire, or your T-bar, and generally you use what is known as a hook to break the fire up. It is through that work that you are kept busy.

(Pages 344-345.)

Mr. CONWAY. That is the three-watch system.

Senator BURTON. One at a time, do you mean?

Mr. HILL. Yes, sir. Just as I stated before, Mr. Chairman, we have eight boats that have two boilers, four furnaces, two furnaces in each boiler, and we are running three-hour watches, or a three-watch system. This three-watch system is one fireman and one coal passer, who goes on at the firing at 6 o'clock in the morning and he goes off at 9. He comes on again at 3 o'clock in the afternoon and he fires until 6 in the evening. These three firemen burn within 300 tons per hour, as much as we have where we have four firemen—two firemen on a watch—and I can prove it.

Mr. FLYNN. For the simple reason that the man has had ample time to rest. That is our contention. The man has had ample time to rest between shifts, but with a six-hour shift the man has not time to rest, and he is not in as fit a condition to go in the fireroom as the man who has had the rest. That is our contention. The hours are too long; no time to sleep.

(Page 794.)

Senator BURTON. One thing that is right in your branch of the business; is not the work of the firemen much more exhausting than the work of the deck hands or the wheelmen?

Mr. SMITH. It is; yes, sir.

Senator BURTON. That is, those six hours they stand in the fireroom cause a greater degree of exhaustion?

Mr. SMITH. Yes, sir.

Senator BURTON. And wear a man out much more rapidly than service on the deck or at the wheel or on the lookout?

Mr. SMITH. There is more manual labor connected with firing than with the work in any other position on the ship.

Senator BURTON. And then their surroundings, the place where they are; they are confined within a very narrow space, are they not?

Mr. SMITH. Yes, sir.

(Page 134.)

Mr. HIGGINS. The average temperature in the fireroom of a steamship with the Houghton forced draft is about 100°. I have taken that temperature several hundred times.

(Page 136.)

Mr. FLYNN. Of course it was my intention to file those affidavits with the committee; but since the question has been raised here, I will state that those vessels are coal-burning boats. Those affidavits have been sworn to before a notary public and are strictly in accordance with the law. They are coal-burning boats and are not equipped with what we call the forced-draft system at all. They are natural-draft vessels.

In the case of the steamer *Queen*, on a voyage from San Francisco to San Diego and return, under normal conditions, upon leaving the dock the temperature in the fireroom was 115° F. When she was at sea, at 4.30 p. m., when cleaning the fires, the temperature ran as high as 140°. This voyage commenced on October 3. On the following day, October 4, at Santa Barbara, at 8.30 a. m., the degree of heat in the fireroom was 118; when cleaning fires, 136°. The day following, 120°; when cleaning fires, 140°. The day following, 115°; when cleaning fires, 130°.

The same can be said of the steamer *President*. The heat in her fireroom under normal conditions was 130°; when cleaning fires it was 140°.

Those are coal-burning vessels, Mr. Chairman, and the affidavits are in due form.

Senator BURTON. Just file those with the committee.

(Page 447.)

Senator BURTON. That is, you have the three-watch system both in the steamers and tows?

Mr. SKENTELBERY. Yes.

Senator BURTON. In the fireroom?

Mr. SKENTELBERY. Yes.

(Pages 554-555.)

Senator BURTON. Just what is the work of a fireman that he does in an oil-burning vessel?

* * * * *

Mr. FLYNN. So far as the manual part of it is concerned, the labor in an oil burner is not as much as it is with coal, but it is the heat, Mr. Chairman, not alone the heat of the boiler, but the plates of the fireroom get so hot there that a man can not stand it. There is not an oil boat in San Francisco that has not had to get extra ventilation in them. They have to go this far, that they have to put planks

down in the fireroom for the men to walk on in the larger vessels, and there are times when they are down there—if there is any air at all coming down, sometimes there may be a little too much wind and they have to go up and turn the ventilator from the wind, not because it is too cool for the firemen but because it interferes with burning the oil.

It required the strictest kind of attention. If the fire should happen to go out—and they do very often go out—it is apt to make trouble. There might be a poor grade of oil, and there might be so much water come along it would put that fire out. A man might not notice it at the time and start to light that fire again, and from the oil that was coming through that pipe into the bottom of the furnace when he would apply the torch he would cause an explosion. They have caught fire through that and men have been burned through that.

* * * * *

Mr. FLYNN. But it is very injurious on a man's system, on his eyesight. When you look into those oil-burning fires to gauge them, which you have to do all the time, it is very injurious to the eyesight. They will not burn there without special attention paid to them, and after you look into these oil-burning fires, and stand up to look at the gauge, you can not see for five minutes. We have many men down there on the Pacific coast that will not go near one of these oil-burning vessels. They prefer the coal.

(Pages 281, 282, 283.)

Mr. GIBSON. * * * We feel that there should be three watches of firemen in the fireroom and three watches of engineers in the engine room. * * * Most of our boats out there are burning oil, and there may not be the hard work to it—there is not—but we have something else to contend with, the high temperature in the fireroom and engine room together from burning oil. This only refers to the steam schooners, because all the other boats have three watches. There is no bulkhead between the engine room and the fireroom, and the heat is practically uniform throughout the engine department.

Senator BURTON. That is an exceptional condition there, pertaining to these steam schooners that burn oil?

Mr. GIBSON. Yes. Practically all the other vessels have three watches, I think.

* * * * *

Mr. FURUSETH. Those schooners run from 200 tons to 2,000 tons, Mr. Chairman.

Mr. GOULDER. Do you mean carrying capacity?

Mr. FURUSETH. No; that is the registered tonnage, from 200 to 2,000 registered tonnage.

Mr. GIBSON. They are cargo-carrying steamers. We call them steam schooners because they took the place of the schooner, and they put steam in some of the schooners and get the name "steam schooners." But they are really cargo-carrying steamers.

* * * * *

Mr. GIBSON. Another thing I would like to say in regard to the engineers of that class of vessels—this is something similar to the *two men on the Lakes*. If anything goes wrong with the winch, or

with the capstan, or the anchor hoist—say the winch—that work has to be done while at sea. A man is standing six-hour watches and feels that when his six hours are up and he has had a wash and his meal, and possibly a smoke, or something of that nature, he wants to go to bed, and he does not want to get up and spend part of that time when he is off watch repairing work on the deck, and it is necessary for the engineer to leave the engine room in the custody of the fireman and go up and do that. That is a fact. They are doing it all the time, and when they are doing that they are probably violating the United States laws. I do not know about that. But they have to do it to do this work and not take up their time when they should be resting. I have seen the men in the boats I have been on myself where the engineer would be two hours at a time out of the engine room.

(Page 285.)

Mr. GIBSON. * * * Yesterday there was a little question about the horsepower of one of the Lake carriage steamers, whether it was 1,700 or 2,000. I will say, Mr. Chairman, from my practical experience, that it does not make much difference in the care of an engine whether it is 1,700 or 2,000, or 1,000 or 2,000. You have the same proposition to look after, only one is a little larger than the other. It requires the same care and attention if you are going to get the results out of your work. * * *

An engineer in rough weather, especially going up the coast on these vessels, at times has to stand for six hours and throttle that engine. I do not know that you understand what it is when an engine is raising in a seaway—in a heavy sea. The stern will come up and take the propeller out of the water, and if you do not check your engine down you stand a chance of throwing a wheel off or disabling your engine in some way. The engineer is compelled to stand by the throttle valve and shut his steam off when he begins to feel the ship coming up by the stern to prevent any damage to any part of the machinery. That is always done in rough weather. They have to do that on all classes of boats.

UNITED STATES INSPECTION SERVICE.

(Page 234.)

Senator SMITH. And you would vest that discretionary power in the officials of the Government?

Mr. GOULDER. Absolutely. Now, we said, "We can live under that; anybody can live under that. We will have some poor officials, we will have some good officials. They are not infallible, and they may require my ship to have too many men. What of it?" I put on the men they require, and I can take my appeal. I can go to the supervising inspector, I can go to the inspector general, I can go to the Secretary of Commerce and Labor. Meantime, I have got to put on my ship the men that they say. But that does not bar me. I might lay my ship up and not go at all, or I can put the men on and take my appeal, and I can have that thing thrashed out.

You can generalize in that way. We are content with that kind of generalization. You have that law now. You have the law that that ship can not go unless she has officered and crewed as the United

States Government says. Now, if you are afraid, if anybody is afraid, of your own inspectors, raise their salaries. If they are not good men, hire better men. They get \$1,800 or \$2,000 a year. If it requires a \$10,000 man, then let the Government of the United States hire \$10,000 men. We are satisfied; we do not care. The better the men the better we like it. Now, section 4463 takes care of that thing at this time.

(Page 241.)

Mr. FURUSETH. Have the local inspectors, or the supervising inspector general, the power to say to the owners of passenger vessels that they must not employ men or that they can not employ men who do not understand the orders that are issued to them by their superior officers?

Mr. GOULDER. There is no question on earth about it.

Mr. FURUSETH. He can stop them from doing that?

Mr. GOULDER. Absolutely.

* * * * *

Mr. FURUSETH. The orders are given from the executive officer to this one man who understands him, and the common seaman gives it in the Chinese language. Is not that a fact?

Mr. GOULDER. I suppose so. But there is no use talking. You know perfectly well it is absolutely absurd to say that the orders on those ships are not conveyed readily and quickly so that the men understand the orders.

(Page 463.)

Mr. FURUSETH. But again, Mr. Uhler, you have no authority as to the kind of men?

Mr. UHLER. Not at all.

Senator BURTON. That is involved, is it not, in inspection, that there must not only be a sufficient number but the quality must be such that they can navigate the boat? That is, you would not allow a boat to go to sea with half a dozen dummies on it? Suppose they were persons who were notably incompetent, would you pass that boat?

Mr. UHLER. That we would not know; we would not see them.

Senator BURTON. Do I understand your inspection department is limited to determining the mere number?

Mr. UHLER. Yes, sir.

(Pages 315-316.)

Mr. YATES. Mr. Chairman, * * * I think I made it clear yesterday that there were many kinds of appeals, and there were a whole lot of processes, and that it is difficult for us to know when these applications are made or when the certificates are issued. Therefore an appeal is our right, but it is not practicable. These things happen, and we do not know anything about them until they are done.

Senator BURTON. That is, your contention is that the application is made and finally passed upon before you know of it?

Mr. YATES. That is exactly the point, Senator, so that an appeal is not practicable. It must be taken within a certain time.

Senator NELSON. I want to ask Gen. Uhler a question that occurs to me. Suppose the vessel owners take an appeal from the decision of the local inspector to you, or to the supervising inspector; does he notify the other side and give an open hearing on the question?

Gen. UHLER. No.

Senator NELSON. It is a one-sided affair, is it not?

Gen. UHLER. Not altogether, Senator. It is never one sided—no on my part.

Senator NELSON. I mean is the other side notified and given a hearing?

Gen. UHLER. Not necessarily. The law does not provide for it. The law provides absolutely and distinctly that the supervising inspector may modify, rescind, or change the decision of the local inspector.

Senator NELSON. But the point is this. Do not get excited about it, because there is no occasion for that.

Gen. UHLER. No; no.

Senator NELSON. The point is this: When a case comes up before you, as a matter of right you do not notify the other side, do you?

Gen. UHLER. Not always; no, sir—not always.

Senator NELSON. So that you just hear one side?

Gen. UHLER. There are cases when it is done.

Senator NELSON. Is not that a fact?

Gen. UHLER. There are cases where it has been done, sir.

Senator NELSON. That is the point about it. And is not that the case with the supervising inspectors, too?

Gen. UHLER. I do not know, sir. I do not know.

Senator NELSON. And as a matter of fact, when the appeal is taken by the shipowners, as a rule it is only one side that is heard, because the other side is not notified?

Gen. UHLER. They are heard just in the same manner that the vessel owners' side would be heard.

Senator NELSON. How can they find out about the appeal?

Gen. UHLER. The law does not provide that they shall be notified.

Senator NELSON. Is there any notice of appeal served on them?

Gen. UHLER. No, sir.

Senator NELSON. How do they know about the appeal, then?

Gen. UHLER. The law does not provide for that. It provides for people to find out in their own way.

(Page 514.)

Mr. FURUSETH. President Roosevelt appointed a commission to investigate the loss of the *Valencia*.

Senator NELSON. How many were on that commission?

Mr. FURUSETH. I think there were five members. Mr. Uhler will be able to correct me if I am wrong.

Mr. UHLER. I think there were three members—the Assistant Secretary of Commerce and Labor, Mr. Murray; the Commissioner of Corporations, Mr. Herbert Knox Smith; and the naval officer whom Mr. Furuseth referred to; and I think the report of the naval officer is the minority report of that commission.

Mr. FURUSETH. It is an addition.

Senator BURTON. It is supplemental and not a minority report?

Mr. FURUSETH. It is supplemental. It reads:

ADDITIONAL REPORT OF COMMISSION ON "VALENCIA" DISASTER.

I desire to recommend, also, that a system be established of frequent travels of local inspectors from one port to another, and that additional life-saving stations be provided on the coast, supplemental to the proposed life-saving vessel at Neah Bay, and that some provision be made for sufficient manning of vessels by seamen.

WILLIAM T. BURWELL,
Captain, United States Navy,
Commandant of Puget Sound Navy Yard.

Senator BURTON. On what page of the House hearings is that?

Mr. FURUSETH. It is on page 259 of the hearings of January 29.

(Page 509.)

Mr. FURUSETH. Senator, I ask it in all earnestness and sincerity, do not leave too much to the master. The poor devil has got too much to carry now. He has the shipowner on the one side, who tells him to do so and so or else he gets no job; and, on the other side, the Government says he must do so and so or else he loses his license. He is the shuttlecock or fall guy aboard the vessel—or what would be a good name for it?

Mr. GOULDER. A scapegoat.

Mr. FURUSETH. A scapegoat; that is it; and that is the way you want to use it, Mr. Goulder, and you found the name because it was in your mind.

(Page 482.)

Mr. CHANDLER. * * * They take the position that this matter of hours ought to be left to the inspector. They said the inspector controls the master's license. In the last analysis that means putting it up to the master of the ship. * * * I think it was in 1906 that a conference was held between representatives of my union and the Lake Carriers' Association. I was one of the delegates representing our organization. * * * The Lake Carriers' Association had brought in as experts to meet our argument a committee of 10 or 12 captains, active shipmasters who were sailing on vessels. * * * They said, "Now, we think that it would be far better for the ship if we could dispense with the services of one of the deck hands and employ an able seaman in his place. It will only make a difference of \$20 a month to the owners, and we believe it would be useful to the ship, and we would like to have you agree to this." Of course, we agreed to it, and the owners said: "So long as that is left to the master of the ship, and so long as he may make the choice, we will agree to it. * * * I think there were 500 vessels enrolled in the Lake Carriers' Association. There was only one that got the able seaman. It was up to the master, and the master did exactly what the owner wanted; that is, the master did not employ the fifth man. * * * They say that if the inspector tells him to do thus and so, and he does not do it, he may lose his license; and that being the case, he will refuse to do it for the owner. There is something more at stake than the man's license. The license is of use to him provided he can get employment. If he can not get employment, that license becomes useless. He will do what the owner wants him to

do, because that is where he gets his job. * * * They say we ought not to have the same regulations. We ought to be different on the Lakes and different on the Atlantic and different on the Pacific. Why, a man needs as much sleep in one place as he does in another, a man needs as much rest in one place as he does in another; safety to the traveling public is as much at stake in one place as it is in another, but they say, "Leave it to the inspector." The inspectors certify on the Lakes two men. They certify, in the Old Dominion Line, two men, one to steer for six hours, and another on the lookout for six hours; and on the Pacific coast they certify four men to steer, two hours each. Is there any difference between them? If there is a difference it is this, that the Pacific coast is not as rough a coast as the Atlantic coast. * * * But they run through fog and storm and marine hazard for six hours with one man at the wheel, and the inspector certifies that as being sufficient.

NATIVE AMERICAN SEAMEN.

(Page 56.)

Mr. FURUSETH. * * * If you have a merchant marine, you must first of all have seamen. You have the fourth merchant marine now, as far as tonnage is concerned.

Mr. BRITAIN. Second.

Mr. FURUSETH. You have the second, as far as tonnage is concerned; but it is coastwise and lake traffic, and in that traffic you have not 15 per cent you could call on in case of war or trouble, because they are not citizens of the United States; they owe no allegiance to it and could not be drafted. So, if you want a merchant marine, you must have seamen; and if it is to be of any value to the country, they must be American seamen, either native or naturalized, or both, as the case might be.

(Page 840.)

Mr. FURUSETH. * * * The boy section in the shape in which the bill came to you from the lower House is useless, but as it came to the House from the House committee it was in proper shape. He does not go there as an apprentice; he goes there as a boy. * * * That is the plan by which every seaman throughout the world is educated into a seaman, and there is no other way of doing it.

(Page 414.)

Senator CRAWFORD. Can you get deck hands for \$15 a month?

Mr. BRITAIN. Little boys about 15 or 16 years of age. I might make one remark in regard to the nationality of the deck hands. The Norwegian is about pretty well eliminated, just beginning to be eliminated as a seaman.

Senator BURTON. What do you mean, from the sea, generally?

Mr. BRITAIN. He has exhausted himself. We have exhausted that source of supply. I was talking to our seamen the other day and was very much surprised to find that they are almost wholly Slavs from Trieste, Austria, and from the Balkan States. It looks as if that hardy Germanic and Scandinavian race is about exhausted. Just as in the city of New York to-day the Irish have been eliminated.

* * * We have sucked Ireland dry; so far as the sea is concerned we have sucked Scandinavia dry—that is, Norway, Sweden, and Denmark—and now we are falling back on the Balkan States. * * * Even the Britisher is decreasing. I noticed in the last report here 18,000 additional Lascars in the British mercantile marine.

(Page 321.)

Capt. HEBBARD. * * * During a visit which I paid to Gloucester last year I spent an afternoon in an automobile with the young man who drove it. I asked him where the American boys were who used to man the fishing boats out of that port. His reply was: "They do not go to sea any more, except for a voyage or two—until the novelty wears off. I was a fishing boy until I got tired of it. There is more excitement about the work I am doing and better pay, and I have a chance to be home with my friends every night; and all the rest of the boys are doing something of the kind; some are motormen and conductors on the electric cars. There are so many opportunities for us now by which we can make more money than we can by going to sea that the boys around here have about given up fishing boats and turned them over to the foreigners." This will show you why there are so few American boys at sea under the present conditions.

(Pages 149-150.)

Mr. HIGGINS. * * * The other day there was a good deal of discussion here—and most emphatic discussion—about the American-born man going to sea. Years ago, in the days of the old sailing ship, it was inferred that he did go to sea, in the forties and fifties and sixties. A lot of American boys went to sea. * * * In my opinion, the reason the boy went to sea in that generation was not because our shipping laws were more favorable to that calling than they are now, not because there were very much better opportunities at sea then than there are now, but because the opportunities on shore were not as good. * * * There were a lot of New Englanders who went to sea at that time, but there are very few going to sea now, not because there are not the advantages in going to sea now that there were then. I do not mean to say I did not go to sea, for I did, but not as a sailor. So, when you look to increasing the sea population from American-born individuals in this change of law, if you gentlemen, in your judgment, see fit to recommend it and this law is passed, in that one particular I think you would be very much mistaken. I do not think you will find it will be the cause of sending 1 per cent of American-born boys to sea, simply because there are more attractions on shore.

Senator SMITH. Is it desirable? Would it be a desirable thing to have American sailors on American ships?

Mr. HIGGINS. Yes; I think it would be; I am frank to say I think it would be.

Senator SMITH. Is there any way, in your judgment, that it can be brought about, practically, sensibly, and fairly?

Mr. HIGGINS. I think the handicap is too serious against the sea, the same as the handicap against the farm. You do not find American boys working on the farm; you do not find American boys doing any laborious work—very few of them. Our public improvements

are not made by American boys; our big undertakings are not carried on by American boys. Going to sea, Senator, it downright hard work; it is labor. No laboring pursuit is followed up by the American boy if he can possibly help it.

Senator SMITH. In other words, you want to be understood as saying that, no matter what legislative reforms may be effected, or inducements held out to American boys in the way of cleanliness and comfort, and fairly good wages, they could not even then be attracted to that vocation?

Mr. HIGGINS. I think the shipowner is very desirous that any legislation in the way of cleanliness and comfort and skill in handling boats, and all that, shall be passed that possibly can be.

Senator SMITH. Admit that; that appears here, I guess. There does not seem to be any controversy about it. Is there anything that can be done sensibly and fairly and practically to attract American boys to the sea?

Mr. HIGGINS. To attract him permanently, I fear very much there is not. The American boy does not go to sea now in very large numbers. * * * Service on a ship running on a regular line, making a few ports, with a very painful regularity of schedule, becomes monotonous. A boy will do it for a while, will make a few trips, but after a while it is just like riding on a railroad train—the boy will not do it. He wants excitement. He runs an automobile. There is far more fun running a car in the city of Washington than running up and down our coast in the coastwise vessels.

Senator SMITH. Are you satisfied with the personnel of your crews?

Mr. HIGGINS. I think we are.

(Page 152.)

Mr. HIGGINS. In spite of all I have said about the American boy not going to sea, it is a remarkable fact that in our company 80 per cent of our crews are Americans.

Mr. FURUSETH. White or black?

Mr. HIGGINS. Both. They are not all black by any means.

Mr. BRITTAIN. We run to the South, do we not? We run to a black country.

Mr. HIGGINS. We run to a black country, and in a black country nearly all the laborers are black, just the same as they are here in Washington. A large majority of these men are native born. In our engine department, in what we call the main line, the outside ships, we have 128 men, and they are all white men, every one of them. Out of these 128 men I am quite positive that not 6 are foreign born. * * * The senior engineers, of course, are licensed; the juniors are not. But they are all Americans—American born, too.

DECK HAND—COAL PASSER.

(Page 348.)

Senator BURTON. Is this the average age of your crew shown in this picture of the firemen and seamen's dining room?

Capt. JOHNSON. Yes, sir.

Senator BURTON. They look like kids, all of them.

Capt. JOHNSON. They look like kids, but are not so very young, probably 25 or 30.

Senator BURTON. How old, about, is the youngest of them?

Capt. JOHNSON. I could not say; I suppose about 22. That crew has been on that ship all season, Senator Burton. I think we have made only one change there all last season.

(Pages 587, 588, 589.)

Mr. OLANDER. * * * In talking on the question of hours the other day, I told you of the great number of American youths that were coming in on the Lakes and then going away again because the conditions were not satisfactory, that the great majority of them were young Americans, almost boys; that the union did its best to try to keep those boys there, with a view of improving the personnel on board of the ships; that in a period of three years, from 1905 to 1907, we got a sufficient number of that character interested so that over 10,000 of them joined the union, when there were positions for only 3,500; that the change each year was tremendous, getting in one crowd of men one year and finding them gone the next; that we kept that up for three years, and that besides that we issued what were known as trip cards, giving them to the men free, and recognizing them as union men; all this so that the young Americans, to the extent of 2,000 a season, approximately, making in the course of three years over 16,000, were tried out in positions in which there was room for only about 3,500; that these men did not go aboard and stay awhile and then leave in disgust, but they wanted to stay, and tried vessel after vessel, and finally left.

I told you that in 1908 when, according to the testimony of the representatives of the Lake Carriers' Association here, over 40 per cent of their vessels were laid up, which means that on board of their ships there were positions for less than 4,000 men, unlicensed men—I do not include the licensed officers in this—under such circumstances the report of their shipping officers shows 23,898 shipments that year; that the following year, with a maximum of 7,500 positions open in their entire fleet, their shipping offices report shows approximately 47,000 shipments. That shows the great swirl of change that is going on, and out of those 47,000 approximately 22,000 were shipped for the position of deck hands, and there is room for scarcely 2,200, all told. You can judge from that the tremendous change that is going on. In the figures that were filed here by the president of the association it is shown they have registered in their shipping offices, according to his figures, 13,005 men for positions that have room for only 7,500. That shows the great surplus that has to be kept on hand, and, at that, their experts testified that they had to go out short-handed on several occasions.

I told you that the reason these young Americans did not stay was because of the conditions under which they worked, not only the long, unreasonable hours, but the fact that hundreds of them were put down into the hot fire holds to pass coal and then taken up on deck and made to serve as deck hands, then back into the fire hold again, and then up on deck again. I have told you that because of that—

Senator SMITH. Do you admit that these changes are voluntary?

Mr. OLANDER. Men leave a position because the treatment they get there is not such that they can stay; then they try out another vessel and they find the same condition there, with a little variation here and there, and then they finally leave, disgusted with the whole thing.

Senator SMITH. The fact that they were members of the union did not shorten their employment?

Mr. OLANDER. In 1909, of the 47,000 shipments made, not one was a member of the union; of the 22,000 shipments made for the position of deck hand, not one was a member of the union, not a solitary one. The union had steadied that down a little bit, and it was not quite as bad as that under the union rule. I myself had worked faithfully some years on this question, because when I was sailing I saw those boys come, and I knew that if conditions were a little bit better they would stay, and that the question of getting the American boy to sea, so far as the Lakes are concerned, was mighty easy of solution. * * * Figures are introduced here, in the shape of reports of the Marine-Hospital Service, showing a very large number of men treated by that service, and a very large number of them from the Lakes. I want to tell you that it does not begin to tell the story, because hundreds of those boys do not go to the marine hospital; they do not stay on the Lakes long enough to find out what their rights are in that respect. The Lake traffic is feeding on the health of the American boy, and it ought to be stopped; and unless you stop that matter of using the boys and young men who come aboard in the fire hold, then chucking them out on the cold decks, that will continue; and you are not going to get the young American to stay under such circumstances.

(Pages 596-597.)

Senator SMITH. I am rather keen to hear what your remedy is for that.

Mr. OLANDER. My remedy is to regulate the hours on board ship so that the men will not be overworked; do away with that practice of taking those young fellows out of the fire hold and putting them out on deck and sending them back into the fire hold and then out on deck again. You will get them, even at the present wage scale.

Senator CRAWFORD. Will this law prevent their doing that? Will this bill prevent their sending those boys out of the hot room onto the icy deck and back again?

* * *
Mr. OLANDER. * * * I am frank to tell you now—this is a pretty frank statement, and I think I may be pardoned for making it—we had almost lost hope on this question; but when finally the bill passed the House, we thought, "Well, it does not quite touch that question, but we have something; we had better go ahead with that." I have felt this way about it, that there was possibly enough in that bill so that when it went through we might go into court and fight it out on that question: * * * But so much interest has been taken in the matter that I made up my mind that I intended to bring that out clearly.

Senator BURTON. * * * How general is that practice of transferring men from the deck to the fire hold?

Mr. OLANDER. Every bulk freighter on the Lakes—and they are the great majority of the vessels—and every lumber carrier on the Lakes, and nearly all the package freighters on the Lakes.

Senator BURTON. Transfer the men from the deck to the fire hold?

Mr. OLANDER. That is, all of the vessels except a few passenger vessels.

Senator NELSON. Let me ask you this question: A young boy comes and ships as a deck hand, we will say. He is not told that he has got to go into the fireroom and pass coal; he supposes he is the deck hand. After he gets on board of the vessel he finds he is something more than a deck hand, he has to go down in the fireroom and be a coal passer a part of the time.

Mr. OLANDER. He is sent aboard of the ship as a deck hand.

Senator NELSON. Do they not in a way obtain his services by false pretenses?

Mr. OLANDER. There is undoubtedly a good deal of that going on.

Senator NELSON. They ship him as a deck hand, and they make a coal passer of him part of the time.

Mr. OLANDER. That is true. That is what happens to him when he first comes.

Mr. GOULDER. That is the statement made by Mr. Olander.

* * * * *

Mr. OLANDER. That is what happens to him when he first comes. After he has made a trip or two, and reships, he has an idea of it.

Senator NELSON. And vice versa, do they ship them as coal passers on these vessels?

Mr. OLANDER. No; they do not ship them as coal passers.

Senator NELSON. They do not ship any coal passers?

Mr. GOULDER. Not at all.

Mr. OLANDER. But they work them as coal passers after they get them there.

(Page 500.)

Mr. OLANDER. * * * Of course, they will not stay under such circumstances. The effect upon their health you can not tell from the Marine-Hospital records. That does not begin to give you the story. * * * I want to tell you that those freight vessels up on the Lakes, Mr. Chairman, are eating up the health of the American boys. They are feeding on them, and it ought to be stopped, and it can only be stopped by a regulation of the working hours along the lines suggested by this bill; * * * and because of its importance in getting the American youth to stay aboard the ship, I think some important consideration ought to be given to the La Follette amendment for the three-watch system. I have watched this things for years; I have followed up the records of the Lake Carriers' Association year after year, and I know what the drift is. You can not keep the American boy from the sea entirely. We talk of the romance of the sea as though it began in a textile factory where the canvas was made or up in the woods where the spar came from. That is not where the romance of the sea is. The romance of the sea is in the sea itself, and it does not make any difference what kind of a ship you have; the boys will head toward it, and if the living conditions are decent and fair there, there they will stay, to a very large percentage. * * * While the firemen are clean-

ing the fires, the coal passer stands there, either with a hose or a bucket of water. If he has a bucket of water the barrel is right alongside of him, out of which he dips it, and he throws the water on the clinkers to put the fire out and to cool them off. If he has a hose, he stands there and squirts it on, according as the fireman tells him. He is assisting the fireman in that. After the fires have been cleaned he shovels the clinkers and ashes—there are two coal passers, one on each side—into the hopper, which is placed at a convenient height to shovel them in, and they are either elevated over by an elevator, or shot over by what is called an ash gun, under a jet of water under a high pressure.

(Page 261.)

Mr. CONWAY. I have seen those coal passers come on watch at 12 o'clock at night, and work until 6 o'clock in the morning, and the boat would then be in port. They would work all day, and work until the boat went out at night, and then go on watch at 12 o'clock that night, and work until 6 the next morning. That is very often the case.

Senator NELSON. What would the coal passers do while the boat was in port all day?

Mr. CONWAY. They would handle lines, shift the boat, sweep up the hold, and keep the boat in shape. I have seen coal passers up 36 hours many and many a time.

Say a package-freight boat comes into Buffalo: She has a deck-load of package freight, and a hold full of grain. She will go up first to the package-freight dock, and take the package freight off in three or four hours—the deck-load. Then she will go from the package-freight dock to an elevator. Then all hands go down below and sweep up everything and get out all the grain that is in her—every kernel, if they can. Of course, they are up all that time. Then they shift back to the dock, and they load the ship there at the western dock. I have been on the *Chicago* time and time again when we have come in one day and gone out the same day.

Those are the hours that a coal passer has to stand.

(Page 488.)

Mr. OLANDER. * * * They say six deck hands. I believe some one asked Mr. Coulby, "How many men does that boat carry in the fire hold?" "Four firemen and four coal passers," was his reply. Another one of the gentlemen of the opposition was asked a question, "How many of a deck crew does the vessel carry?" He said, "Two wheelmen, two watchmen, and six deck hands." If these two questions be applied to the same vessel and you had figured out, you would figure that vessel carries two wheelmen, two watchmen, six deck hands, four coal passers, and four firemen.

Mr. GOULDER. Entirely incorrect.

Mr. OLANDER. Entirely incorrect, because there is a kind of magic about a Lake deck hand. * * * Now, the vessel leaves port, and after she gets outside there is a sudden change which takes place. * * * In a crew of six deck hands four of them are suddenly changed and are coal passers, go down in the fire hold and work

there until the vessel makes another port. * * * It is deck hand—coal passer—deck hand—coal passer; but they are the same men, the same individuals. * * *

(Page 598.)

Mr. BRITAIN. No such condition exists on the Atlantic coast; I can speak for that.

Senator BURTON. That is, there is no transfer from deck to fire hold?

Mr. BRITAIN. No, sir; I never heard of it.

Mr. OLANDER. Let me say that is the only place. I have made an investigation of that, and the Lakes is the only place in the world where that is done.

Senator CRAWFORD. Let us get at it. To what extent is it done on the Lakes?

Mr. OLANDER. It is done, I say, on all bulk freighters, nearly all package freighters, and all lumber vessels.

Senator NELSON. And ore-carrying boats?

Mr. OLANDER. All ore-carrying boats. Let me put it in another way, in a general way, so that you can get the view of it; on practically all vessels on the Lakes except the passenger vessels, and they number about 80 or 90, I believe. On all the other boats, the steam vessels, that is done. It is the universal practice on the Lakes.

(Pages 581-582.)

Mr. OLANDER. Yes; I remember them. I would like to ask one more question, Mr. Fisher. Who is it that does the passing of coal for the firemen on your vessels, on the steamers of the Lumber Carriers' Association?

Mr. FISHER. Who does it?

Mr. OLANDER. Yes.

Mr. FISHER. The firemen do their own firing on there.

Mr. OLANDER. I mean who is the coal passer there.

Mr. FISHER. I do not know as to that.

Mr. OLANDER. Is it not true that your deck hands do that?

Mr. FISHER. They do some of it.

Mr. OLANDER. Is it not true that on every vessel they do that?

Mr. FISHER. Yes; they do it unless there is some little ship where the captain does it all.

FORECASTLES.

(Pages 12-13.)

Mr. FURUSETH. No; the existing law is 72 cubic feet.

Senator BURTON. That is for boats built or rebuilt after June 30, 1898?

Mr. FURUSETH. No; that is for all steamers, or steam vessels. That law of 1908 does not apply to any vessel except sailing vessels built or rebuilt, so that the sailing vessels built after that date have 100 cubic feet; steam vessels built after that have not.

Senator BURTON. Let us thrash out that point, if we can. Is there objection to this section as it now appears in the House bill?

Mr. DUFF. No, sir; we have no objection to that provision as it now stands.

Senator BURTON. As I understand, it is proposed to offer an amendment making the cubic space 120 cubic feet; and how many square feet?

Mr. FURUSETH. That would be 18 square feet on the floor. That includes the bunk, understand. The bunk is 2 feet wide. That leaves only 12 inches outside of the bunk, even as it would be with the proposed amendment.

Senator BURTON. I doubt whether we ought to take that up as a matter of legislation. It seems to me it is so modified by the length of the run, the size of the boat, the number of persons on board, and those questions, that it is a question whether it does not belong to the supervising inspector.

Mr. FURUSETH. They have never so held.

Senator BURTON. Of course, we might frame legislation leaving it to them.

Mr. FURUSETH. I rather think, with reference to that matter, that there has never been any legislation upon that subject increasing the space since the old line-of-battle ships were run. It is based upon the space allotted for the hammocks, 14 inches apart on the berth deck of a line-of-battle ship. That would give 6 by 6 by 2, or 72 cubic feet. There has never been any increase in that, so far as American law is concerned, as far as steamers are concerned.

Senator BURTON. Except for seagoing sailing vessels?

Mr. FURUSETH. Except for seagoing sailing vessels.

Senator BURTON. And your contention is that the law as it now is was framed at the time when boats were very much smaller?

Mr. FURUSETH. And when they carried many more men, according to their size, than they do now. The lowest space existing in the Navy is in the *Monterey*. She has 90 cubic feet, and the doctors in their report years ago said that they could not keep the men healthy. The usual space allotted in the Navy now is about 140 cubic feet per man. After very serious and lengthy discussions and agitations in Europe they have come to the conclusion that 120 cubic feet are necessary. That is the new law of France, the new law of Norway, and the new law of England.

(Page 71.)

Mr. DOLLAR. * * * Section 2 provides for larger accommodations for the crew. There is no objection whatever to this, as I do not think there is a vessel running on the Pacific coast that has not the space provided for in this section.

(Page 14.)

Mr. LITTLEFIELD. Mr. Chairman, if it will facilitate matters, I will say that, representing the Eastern Steamship Corporation, with 30 steamships, this provision is satisfactory to us, first, because it applies to after construction, and, second, because our present construction takes care of 120 cubic feet, so far as we are concerned. That makes progress.

(Page 280.)

Mr. GOULDER. May I suggest, on that point, whether the Pacific coast owners are or not agreeable to having such quarters as should be? I will say for us, we are.

* * * * *

Mr. DUFF. Mr. Chairman, I do not think there is any dispute about that. This bill contemplates making reasonable provision for the men, and I do not think we will have any serious difference at all about that, especially if it applies to new construction.

Mr. GOULDER. The men are entitled to that, and there is no man who has any manhood who would object to it, in my opinion, and the only question is how to arrange it. I will speak for the Lakes. So far as we are concerned, we wish to have that right.

Mr. DOLLAR. Mr. Chairman, there is absolutely no objection to that at all. In my remarks I said that we are all agreed on that. I suppose this evidence has been given to obtain sympathy for the men. Therefore probably it is in order; but if it is not to gain sympathy it might be dismissed.

(Page 281.)

Senator BURTON. Now, that we may reach conclusions, is there any objection to 120 and 18 feet?

Mr. GOULDER. There will be some, I think, from Capt. White, and he may want to speak about that. He spoke about that; but we do not care for it on the Lakes. He says in some of their ships there might be some difficulty about the floor area. There would be no difficulty about the cubic feet, but about the floor area, because he said, the ship runs up this way [indicating], and you might be narrowed below in order to have a high ceiling and more than 120 feet.

(Page 584.)

Mr. OLANDER. * * * I might say on that question of quarters in the lumber vessels that, while I have not any measurements, my opinion is that most of them come up to the requirements of the bill in spite of the fact that the bill only provides for new construction. The vessels that Mr. Fisher spoke of have more cubic feet per man, as I remember it, than the bill provides.

(Pages 24-25.)

Senator BURTON. * * * Does anyone desire to present any further views on section 5?

Mr. DUFF. Mr. Chairman, I wanted to suggest, in line 24, on page 6, that unless you insert the word "steam" between "merchant" and "vessel"—

Senator BURTON. This is not the same copy of the bill.

Mr. DUFF. I refer to section 5, which we were discussing this morning.

Senator BURTON. What is the language? You see, the copy that will be convenient for all of you to use is called the committee print. It has the existing law in roman, the language to be repealed in stricken-through type, and new provisions and new language in *italics*.

Mr. FURUSETH. Mr. Duff means, Mr. Chairman, on page 8 of the committee print, on line 12, where it says "all merchant vessels of the United States the construction of which shall be begun," etc.; and he wants to put in "steam," so that that particular requirement as to the forecandle shall not apply to sailing vessels. Is not that what you want?

Mr. DUFF. Yes; on account of the probable difficulty of supplying all that hot and cold water on board a sailing vessel. I just make that as a suggestion.

Senator CRAWFORD. Where would you put the word "steam?"

Mr. BRITTAIN. Between "merchant" and "vessels."

Senator CRAWFORD. That would be in line 12, page 8. Do you object to that, Mr. Furuseth?

Mr. FURUSETH. Putting in the word "steam" there?

Senator CRAWFORD. Yes.

Mr. FURUSETH. No; because the difficulty of sailing vessels getting hot water is manifest.

* * * * *

Mr. FURUSETH. Yes; "steam or motor vessels," so as to exclude only sailing vessels; because there are a large number of vessels now, Senator, that do not use steam, but that use motors and a different kind of engine. They are getting more and more into use; and a large motor vessel can furnish hot water as well as a steamer.

Senator BURTON. Perhaps that will hardly be the most happy phraseology. I will make a memorandum of that, however; the idea being that sailing vessels are excluded?

Mr. FURUSETH. Yes, sir; exactly. That is the idea.

A GENTLEMAN. Is there not at present a provision of law that any vessel propelled by machinery is considered a steam vessel?

Senator BURTON. I am inclined to think that "a steam vessel" means a vessel propelled by machinery as distinguished from a sailing vessel. At the same time it is well to have the phraseology perfectly clear.

(Page 71.)

Mr. DOLLAR. * * * The last clause provides for washing places. There is no objection to this, provided that not more than what is actually required shall be provided.

PART PAYMENT OF WAGES.

(Page 71.)

Mr. DOLLAR * * * Section 4530 provides that half his wages shall be paid at every port where the vessel touches. Mr. Wilson, or rather Mr. Furuseth, could not have devised a worse provision for the American sailor than this, as I am quite safe in saying that 90 per cent of them drink every cent they have outside of the bare necessities of life. The custom at present is for the captain to give any member of the crew as much money as he requires except to spend it on liquor. This law carried to its logical conclusion means having a veritable hell upon earth at every port. I beseech you, gentlemen, do not be a party to this disgraceful provision to further degrade the men and bring untold trouble and loss to the owners of American ships.

(Page 323.)

Capt. HIBBARD * * * I was glad to hear the statements of Mr. Coulby and Mr. Higgins that they were proud of the fact that they were sailors. To me it has always been a source of pride that I could claim the right to say I was an American sailor. There is a dignity about the profession which can not be taken away from it, in spite of the slurs and criticism which I have heard when some of my friends are talking on this subject. I have heard it said before these committees that the men of Europe were ashamed to confess that they were nothing but sailors. I am glad to know that there are other men in this country who are proud to claim the right to call themselves seamen. It may be a degradation in the eyes of some people, but I have never found it to be the case among men whose opinion was worth while. Now, if you will pardon this digression, we will get back to the bill.

(Pages 720-721.)

Mr. FURUSETH * * * Now, let us consider the question as to whether it is wise or proper to make the law of this country applicable to the seamen of foreign countries when they come here; to say that they shall be entitled to one-half of their wages. Usually their laws contain some clause exactly as is in our laws now, that, unless the articles especially stipulate to the contrary, they shall have one-third or one-half of their wages in every port touched by the vessel during her voyage.

Senator BURTON. You say that is the law of our country; and you say that is the law of every other country?

Mr. FURUSETH. In some countries it is not the law, as in Norway. But in England it is the law. In Germany they must pay them a certain amount of money under certain conditions at certain times, and there is no stipulation about it. But here is the situation from a common-sense point of view right down on the ground.

A man comes into the port of New York. He has, say, £10 due him. As I have done in an American port, when I was in an English ship, and as I have done in East Indian ports, when I was in an English ship, and as I have done in foreign ports when I was in American ships, he goes to the captain, and says, "Will you not give me some money? I want a few dollars—I want a couple of dollars." It may be Saturday night. "No; you can not get any money. You can go to the tailor." That is a man who comes around the vessel and makes arrangements with the master of the vessel to furnish things to the crew that the crew may want, and if the man comes to that tailor or to a bumboatman, and wants something from him, the master gives to that man the names of each one of the crew, and the bumboatmen or the tailor comes on board of a vessel and looks at all the men so that he will recognize them. I come to the captain and say, "I want \$5 or \$2." Perhaps I could not get any more than two, anyhow, and I ask for two. I may be in port without a cent, and money is due me. Then I come and ask for the money, and the captain says, "Go to the bumboatman or go to the tailor." I go to him and he puts me down for a pair of pants or a pair of shoes and gives me some money. I do not get the pants or the shoes but *I get the money*. It goes down for \$5 and I get two, and then I

sign. It begins up here, "Andrew Furuseth, of the ship *Getiger*, debtor, to Isaacs, the tailor, one pair of pants, \$5." I did not get the pants; I got \$2. All this [indicating on sheet of paper] is blank, and down here I sign my name, "Andrew Furuseth."

Senator NELSON. Did you get \$2?

Mr. FURUSETH. I got the \$2.

Senator BURTON. Does that occur with any frequency nowadays?

Mr. FURUSETH. It does.

Senator BURTON. Resorting to that method, putting down a specific article and charging a man with it?

Mr. FURUSETH. Yes, sir.

ALLOTMENT AND ADVANCE WAGES.

(Page 54.)

Mr. FURUSETH. Then there is the question of allotment to original creditors, or advance. It is a system under which the seaman's wages are taken and paid to somebody else, contrary to the seaman's wish, or, when the seaman has really no obligations to pay, he simply has to pay in order to obtain employment, and by that system he comes under what is known as the "crimping" system, and the crimping element, and in order to take him from under that all payments to the seaman must be made after he has earned them and none before he has earned them, either to the seaman or to anybody else on his part.

(Page 713.)

Mr. FURUSETH. That is the case of the *Eudora*. That is the question of advance, is it not?

Senator BURTON. No; there is one within three years or thereabouts. What was it, the steamship *Oceanic*, or the Oceanic Steamship Co.?

Mr. FURUSETH. I quote that to you because the Supreme Court, in dealing with the question, shows conclusively what an evil advance is, and that the United States have absolute authority to abolish it as far as foreign vessels are concerned, as well as, as far as its own vessels are concerned.

(*Patterson v. Bark Eudora*, U. S., 190, page 169.)

(Page 362.)

Mr. FURUSETH. They propose the following words, "any vessel of the United States;" and the effect of that will be to let all foreign vessels pay the advance.

Mr. DUFF. In a foreign country. Mr. Chairman, in connection with that I want to give notice that I will submit an amendment to the committee to make the section read, instead of as it does now, "that this section shall apply as well to foreign vessels as to vessels of the United States," "that this section shall apply to foreign vessels while in a port of the United States as to vessels of the United States."

CORPORAL PUNISHMENT.

(Pages 42-43.)

Mr. FURUSETH. Yes. It begins on line 18:

Any failure on the part of such master to comply herewith, which failure shall result in the escape of such officer, shall render the master or the vessel liable in damages for such punishment to the person illegally punished by such officer.

We have found, Mr Chairman, that the master of a vessel is usually execution proof and that the provision is of no value whatever as it stands now. That is the reason the words "or the vessel" are put in there—not to punish the owner for anything that the mate or captain or officer may do, but to punish the master and make the owner responsible that the master shall turn over to the proper authorities the party who has offended against the law.

(Pages 45-46.)

Mr. FURUSETH. Let me tell you the history of this section. When the law was amended corporal punishment was permitted. Then it was modified by a law passed in 1897. When the law of 1898 was passed, Senator White drew this section so as to absolutely prohibit corporal punishment, with the purpose of compelling the master or the vessel to pay damages for letting the man escape if he was permitted to escape. You see, assuming it to be the mate or engineer, there is no possibility of his escaping if the master does not want him to escape. The vessel comes to an anchor and the flag is up for the police, and when the flag is up for the police the policeman comes on board and the captain says, "Take that man," and that is all there is to it. That is all the captain has to do with it. When he does that the vessel now is free from any responsibility or liability whatsoever.

(Pages 46-47.)

Mr. DOLLAR. Mr. Chairman, permit me to make an explanation that probably may clear up this whole matter and end the discussion. This is with reference to a licensed officer. Every licensed officer has a certificate. His certificate is numbered. That is put on the register of the ship. So that any officer who would attempt to escape leaves his means of livelihood behind him, because he can be found by his certificate.

Another thing is that on the arrival of a ship from a foreign port she is boarded by the customhouse officer, who is an officer and can arrest a man; so that the sailor could simply come up to the customhouse officer and say: "That man has committed a crime, and I want you to arrest him." So that the ship need not be held, and the man will be perfectly protected.

Senator BURTON. Do you mean as this clause reads as amended or as it was before?

Mr. DOLLAR. No; leaving out the ship.

Mr. FURUSETH. There are a whole lot of other officers besides the licensed officers.

LOG RAFTS.

(Pages 462-463.)

Senator BURTON. How about the Pacific coast? Do they tow lumber rafts there?

Mr. FURUSETH. The Pacific coast is the particular place where this evil exists, and it is a very grievous and serious evil. This log raft we are talking about here is not the loose raft you tow through a bay, where they simply are surrounded by logs shackled together, and logs float inside. That is not the kind of raft. This raft has some 7,000,000 feet of lumber in it. It is made like a cigar. It is held together by tremendous chains.

Senator NELSON. Are they logs or is it lumber?

Mr. FURUSETH. They started with lumber, but they have quit that. They are now almost exclusively logs and timber; either piles or timber for sawing purposes. These rafts are made in a cradle on the beach. Therefore they are free when the high water comes, and they are taken and towed. There is no means of steering them; there is no means of handling them. About two in five break loose; there are no lights on them, and if a vessel hits one of them it is all day with everybody, because it is like hitting a rock; and if they break up they have the whole ocean around strewn with those logs, and a vessel may come along, as some vessels run on the Pacific coast, running 20 miles an hour, and you hit one of those logs head on and it goes right through. * * * One of the Pacific Coast Steamship Co.'s vessels, represented by Mr. Hibbert here, came so close to hitting one of those rafts that she lost her patent log. * * * When they found the log they found it sticking on the raft. The vessel had gone within 4 or 5 feet of that log raft. Four or five feet difference and there would have been a great many new faces in heaven.

TOWING OF BARGES.

(Page 432.)

Senator BURTON. How many barges to one of those tugs?

Mr. SKENTELBERY. We generally tow two loaded barges and we take back three light.

(Pages 433-434.)

Senator BURTON. What is the manning of these barges?

Mr. SKENTELBERY. These barges generally have five or six men, all told, including the captain.

Senator BURTON. Do they have independent means of locomotion?

Mr. SKENTELBERY. No, sir; they are barges with no propelling power.

Senator BURTON. Even if they did have masts and sails, etc., those are not maintained—or are they?

Mr. SKENTELBERY. Yes, sir; absolutely. All of our schooner barges have full sail equipment, and we have some three-masted barges and one four-masted barge.

Senator BURTON. Do you maintain the barges with sailing equipment?

Mr. SKENTELBERY. Yes, sir.

Senator BURTON. So, if they were cut loose, they could be propelled by sail?

Mr. SKENTELBERY. Yes, sir. As a matter of fact, we had a barge break adrift last winter, but it is the only time we ever had a barge break adrift for the two years and a half we have run them; but this barge sailed away down to Cape Henry, and was there before the tug picked up the other one. The tug picked up the other one, but the barge with the sail sailed away before the wind, and the tug had quite a jump to sail after her.

Senator BURTON. Would the five men be sufficient?

Mr. SKENTELBERY. Plenty; yes, sir.

Senator BURTON. Is that an invariable rule, that there are five men on these barges?

Mr. SKENTELBERY. I should think so generally; yes, sir.

Senator BURTON. That is your rule?

Mr. SKENTELBERY. Yes, sir; that is our rule. We have six on the schooner barges, and we have seven on the big whalebacks, and six on the other.

Senator BURTON. Then you have six on the schooners?

Mr. SKENTELBERY. Yes, sir; on our barges—five men and the captain.

Senator BURTON. Your objection to this section 14 lies rather to the management of the whalebacks than the schooners?

Mr. SKENTELBERY. Merely that our whaleback barges, which are considered among our very best barges and are liked best by the trade, owing to their shallow draft and easy operation, and are as safe or safer than our wooden schooner barges, will be eliminated by that section.

Senator BURTON. As they have no means of locomotion?

Mr. SKENTELBERY. As they have no means of locomotion, and it is useless to put a mast or sails on a whaleback barge, because they are no good. We could not do anything with it.

Senator BURTON. If they were cut loose you would let them drift?

Mr. SKENTELBERY. The whaleback is peculiarly fitted for that work. If a schooner barge was cut adrift and had sails she would probably tack off the coast a bit, and if the wind came on from the seaward again and she got blown back on the coast, as all sailing vessels can be, she would have, perforce, like all vessels, to rely on her anchor chains. She would let go to prevent going on the lee shore. The whaleback, when it breaks adrift from the tug, is not in any such trouble. We are never out of anchorage limits. We go right along the coast within anchorage limits, because we are not licensed to go out on the Atlantic Ocean. Under the inspector's certificate or license we are not licensed to go out to sea beyond the anchorage limits. The whaleback lets go his anchor by shackling his anchor onto his steel towline. Our wooden barges tow with a hemp towrope. He lets go of his steel towrope, relying on his towing machine. We have steam on the whalebacks, and he rides to his towing machine. He can ride it from the deck anchor.

(Page 438.)

Senator BURTON. Do you maintain it is safe to anchor on the lee shore when there is a gale blowing?

Mr. SKENTELBERY. That is the only thing you can do. All vessels have to do that.

(Page 444.)

Senator BURTON. That is, you concede these are more dangerous?

Mr. SKENTELBERY. Yes, sir; absolutely. Everybody knows that. There is no need for any argument on that. The sailing vessel is more dangerous than the steamer, and the barge is more dangerous than the sailing vessel, naturally.

Senator BURTON. Would you say more dangerous still, or would you merely class the barge with the sailing vessel?

Mr. SKENTELBERY. More dangerous still, because she is made helpless, more helpless than a full-rigged sailing vessel.

(Page 445.)

Mr. FURUSETH. What do you use those two heavy broadaxes for at the stowing bit on your towboat?

Mr. SKENTELBERY. You know what they are for as well as I do. They are according to the supervising inspector's rules that you have to have them there for certain purposes.

Mr. FURUSETH. To cut away the barges?

Mr. SKENTELBERY. Or fire.

Mr. FURUSETH. But mainly for the purpose of cutting away the barges, it is not?

Mr. SKENTELBERY. Fire and all purposes. You know under the inspection rules what they are for.

Mr. FURUSETH. They are stowed right at the towbit, aren't they?

Mr. SKENTELBERY. They are.

Mr. FURUSETH. Do you mean to tell me they use them for any other purpose or take them away from there at all?

Mr. SKENTELBERY. Not that I know of, except in case of danger and disaster. You have to use them then. They are there for a purpose.

(Page 435.)

Senator BURTON. What are the wages of the barge men?

Mr. SKENTELBERY. Our barge captains on the wooden barges get about—we give them a lump sum, \$215 and up to \$265 on the whale-back barges, and they find their men and feed them.

Senator BURTON. You pay the master?

Mr. SKENTELBERY. Just a lump sum.

Senator BURTON. And he engages the men?

Mr. SKENTELBERY. That is the usual procedure in the barge business on this coast.

(Page 436.)

Mr. SKENTELBERY. Yes, sir; but of course, you will not suppose that he keeps that man all through the month. That is, the barges, you must remember, lay around a week or 10 days or 14 days discharging at the port, and he pays those men off and gets other ones.

Senator BURTON. So he changes practically on every trip?

Mr. SKENTELBERY. There are practically a couple of men on board that barge while she is discharging and loading her cargo. There is nothing to do.

Senator BURTON. The round trip requires about 8 days from Boston to Norfolk?

Mr. SKENTELBERY. Sometimes 8, and sometimes I have seen them 20 days in the winter time.

Senator BURTON. What is about the minimum?

Mr. SKENTELBERY. I should say the minimum would be 8 days, sir.

(Page 442.)

Mr. SKENTELBERY. My idea is that deck hands, common deck hands, get about \$18 a month and their keep and bed. The company supplies their beds and bedding.

Senator BURTON. That is on the barges?

Mr. SKENTELBERY. Yes, sir; the company supplies their beds and bedding on all the barges. I think these barges captains probably pay these men somewhere around \$18 a month, the common deck hands. He will pay the cook somewhere around \$30 to \$35, perhaps, and he will have to pay, to get men around the coast that would be in any good shape to fire that little boiler they have, somewhere around \$25 or \$30.

Senator BURTON. Do you mean at the rate of \$18 a month for, say, a trip of eight days, and then he is discharged and taken on again?

Mr. SKENTELBERY. That is it. These men are low-grade seamen, that are hanging around in that business. They are not a grade of experts.

Mr. FURUSETH. As a matter of fact, are they seamen at all? Do you know whether they are seamen at all?

Mr. SKENTELBERY. Yes; most of them are Norwegians, Swedes, and Scandinavians, coming over to this country to learn English, and a lot of them are nice fellows.

Mr. FURUSETH. You know they are seamen?

Mr. SKENTELBERY. Yes; and very good seamen, some of them.

(Page 429.)

Mr. SKENTELBERY. * * * Our present officers and crews are not discontented, and we can always obtain competent men to operate our vessels. * * * In the majority of cases they save money and keep respectable homes and families at the ports to which we trade.

(Page 441.)

Mr. FURUSETH. I would like to ask the gentleman a couple of questions.

You testified that usually the men are discharged at the end of the trip and the barge lays in seven or eight days or five or six days, or any time, and you say a new crowd of men is hired. Is that so?

Mr. SKENTELBERY. You are referring to the barges only?

Mr. FURUSETH. The barges; yes.

Mr. SKENTELBERY. I believe that is so. As a matter of fact, Mr. Furuseth, we, as owners, under the present system have absolutely nothing to do with the crews of the barges except that we hire a master and pay him a lump sum and forget the rest. He has to perform all his duties according to the law. If he does not perform them according to the law, the inspectors will take him up and will stop him from running.

SUMMARY OF THE TESTIMONY.

[Introduced on behalf of the shipowners at the hearings given by the subcommittee of the Committee on Commerce of the United States Senate on H. R. 23673.]

INTRODUCTION.

Our principal contention is that the shipping of the United States is of so diversified a character that it is in many respects incomparable to that of any other single maritime nation, and that, in addition, it embraces features to be found in no country except our own; in a word, it is *sui generis*. It is of course true that the existing maritime statutes of the United States are more or less analagous to those of other countries, particularly to those of Great Britain, with which nation we have so much in common, and that by the admiralty clause of the Constitution of the United States our Federal courts have jurisdiction to apply the maritime law of the world evolved from the admiralty court decisions of the great maritime nations from time immemorial, which constitutes the common law of the sea. Yet these laws, both statute and common, are so general in their provisions as to be in the main equitable and just to all interests. The bill under review, however, contains several unique departures from this principle, and makes radical innovations which we consider not only totally inapplicable to our conditions, but fraught with menace and possibly irreparable injury to the shipping and commercial interests of the country.

Considering our domestic trade alone, apart even from that with our dependencies and territories such as Porto Rico, the Philippines, and the Hawaiian Islands, our trade embraces a whole continent with a tremendous extent of seaboard on both the Atlantic and the Pacific Oceans, with bays, such as the Chesapeake, extending inland for many miles and of great width; with many large rivers, particularly on the Atlantic seaboard, navigable for great distances to the interior of the country; with the great Gulf of Mexico on the south, and the mighty chain of lakes on the north. The commerce conducted on these various arteries differs materially in its nature and requirements. The products of each section range from the Arctic of Alaska and the north temperate of Maine to those of the subtropical of southern California and Florida. These varieties of commerce, geographical and climatic conditions necessitate a corresponding variation in shipping, such as is nowhere else to be found in any one nation.

The type of steamer loading north of New York to the New England States, and from the New England coasts to Nova Scotia and the other maritime Provinces of Canada, and the requirements of the service there, bear slight resemblance to the type of steamer loading between New York and the South Atlantic or Gulf ports, and little or no resemblance to the type of steamer operating on the Great Lakes. The types of steamers and shipping conditions on the Great Lakes themselves differ from each other in many and important respects, while those engaged on the Pacific coast differ from both.

Of the craft to which the provisions of this bill would seek to apply a uniform set of rules some are fast express steamers and some slow; some run on fixed schedule, while others move as circumstances permit; some run in the night and some entirely during the day, while others run both night and day; some carry passengers alone, some both freight and passengers, while others carry raw, crude material alone; some of these cargoes are highly perishable and others not; some make time connections with trains, others do not; some run on the ocean, some in bays and lakes, some through rivers and canals; some are but a few minutes on the ocean; some ply in hot climates and others in extremely cold; some between two designated termini, while others make many landings intermediate to their termini; some are in competition with railroads and sailboats, while in other cases the competition is between the steamship and the sailboat alone; some compete with the ships of foreign nations; some are of the largest in the world and others very small; some are of the light draft and others deep; some run short and others very long voyages; on some the work is laborious while on others it is less so; some are propelled by steam while others are schooners and barges; some work their crews on the watch-and-watch plan while others do not; on some the deck crews handle cargo while on others this is unknown; some ship their crews by the voyage, some for a definite period; some crews have less work to perform in a given number of hours than others; some pay their crews regular wages, while others pay overtime above a certain maximum of hours; some trade in sections of the country where high wages prevail throughout and others where the scale of wages for all kinds of labor is lower; some are a long time in port and others but a short period. All of these factors are controlling in the determination of the number of men in the crews and the number and regulation of their hours of labor.

This almost kaleidoscopic state of affairs must have been apparent from the conflicting testimony given during the course of the hearings. In fact, the inevitable conclusion must have been the conviction that blanket legislation which would fail to take account of these bewildering diversities would be suicidal and would be a reflection on the practical proclivities with which this nation has heretofore been credited in all matters concerning the material development of the country. Yet this is precisely what the bill under review seeks to accomplish, putting the entire shipping of the United States, outside of that engaged exclusively in rivers and harbors, under one set of inflexible regulations regardless of their applicability in each case.

The features of the bill which are of most serious import are those embodied in sections 1 and 12. As those contained in the latter are by far the most far-reaching in their effects it seems to me advisable to first devote some consideration to them, particularly that part providing that every vessel of the United States must have in her complement of deck crew, exclusive of licensed officers, 65 per cent able seamen, of three years' experience on the ocean or the Great Lakes, which in the latter case would be equivalent to $4\frac{1}{2}$ years, as navigation on the Lakes is closed for four months of each year. In the first place, the term "able seamen" belong to the days of the sailing ship, before the advent of the steamer. To-day the sailing ship is fast disappearing as a serious factor in the transportation service of the world, and, with the opening of the Panama Canal, is likely to become less so, if we may consider the effects of the opening

of the Suez Canal as a criterion. The work performed by the deck hands aboard a modern steamer, with her short masts, little rigging, and almost no sails, is of the most ordinary kind of unskilled labor that can be imagined, consisting for the most part of washing decks, scrubbing paint, and polishing brass work, the center of gravity, so to speak, having shifted from the deck to the engine department, where the really technical part of a steamer's work is now performed. Even on the deck, most of the heavy work is to-day operated by machinery controlled by the engine-room forces. To insist that it requires three years' experience to acquire facility to perform such simple duties is absurd, the general opinion of practical steamship officers being that three months at most would be amply sufficient. No other nation in the world, with the exception of Australia, has ever attempted to prescribe, either by legislation or departmental regulation, that seamen shall be certificated or that any percentage of ship's deck crew shall have a specified period of sea experience, not even in the day when the sailing ship was the sole ocean carrier and when the work required of a seaman was complicated and technical. Australia's legislation in this matter has been but three years in operation, and as there is but one steamship line of any consequence registered in that British colony, the Union Line, trading between Australian and New Zealand ports, their problem is easy to understand and should not be considered in the solution of our highly complex situation. Moreover, it is hardly consistent for this great progressive country of ours to be asked to imitate a commonwealth which has been notoriously in a state of stagnation in all matters of trade and commerce for many years, and whose population has been almost stationary for a long period and does not now exceed the number of people resident on the territory adjacent to the Hudson River. If we are to be asked to be guided by the legislation of other nations it should rather be to those countries whose maritime commerce is equal to or greater than our own that we should have recourse for assistance.

It needs no argument to demonstrate, it is self-evident, that the preparation necessary to become a qualified member of the engine-room force of a modern steamer should be immeasurably longer than that required for the simple duties of the deck hands. Yet the law to-day demands but three years preliminary service in the engine room to qualify as a licensed engineer and the same period for a deck officer. Not only so, but a preliminary service of about six months or a year is generally considered sufficient to equip a young man of ordinary intelligence to competently perform the duties of a junior engineer, and certainly not longer to qualify as a fireman.

Mere three years service of itself would be no indication of capacity. Capacity alone should be considered in the selection of crews for any position in all departments of a ship, but the requirements of this bill merely provide that three years at sea or on the Great Lakes shall be sufficient and provide for no test of skill before the Government certificate is issued. The men who are to-day best fitted to fulfill the exceptional duties in the deck department of a modern steamer are those brought up around the rivers and harbors abounding on our enormous extent of seaboard and in such bays as the Chesapeake and its tributaries, where they are accustomed to handle small boats of all kinds from boyhood, yet by the terms of this bill these young men are

prohibited from qualifying as able seamen. The experience acquired by a young man raised on the rivers, creeks, and bays of such a State as Maine, and even in the fisheries, would not avail him if he desired to devote himself to the seafaring calling.

Furthermore, no young man with any self-respect would desire to enter an occupation which required him to submit to a three-year's apprenticeship (which this really amounts to) to qualify for duties which can be acquired in as many months. To do so would be tantamount to admitting incapacity and be a reflection on his intelligence; rather, it would have the effect of repelling the very kind of young man we would all gladly see attracted to the profession.

The American has the reputation all over the civilized world, and deservedly so, for his adaptability, but should any such provision as is incorporated in this bill become enacted, it would be a serious contradiction to this commendable tribute to our national capacity.

It is an admitted fact that most young men do not remain at sea for a lengthy period, either in the merchant service or in the Navy, the exception being among those who aspire to become officers. After a few years at most, and in many cases less than a year, when the romance and glamor of the sea has relinquished its hold on them and the domestic sentiments more or less common to mankind begin to assert themselves with advancing years, they seek more congenial employment ashore or some kind of marine occupation which will permit them to be more frequently at home. This depletes the number of those from whom we would have to recruit the 65 per cent of certificated able seamen to such an extent that it would be an utter impossibility to comply with the law even in the largest ports of the country. The available men, moreover, would naturally concentrate in the large ports, where there would be more opportunity to find employment, and few would be found at any of the lesser ports. The effect of this would be that should one or more of these certificated men take sick, or desert a ship, or should a whole crew leave the ship on strike, at such a port as, say, Norfolk, Va.; Charleston, S. C.; Savannah, Ga.; Jacksonville, Fla.; New Orleans, La., or at any of the ports on the Pacific coast, save, perhaps, San Francisco, there would be no means of replacing them until the owner had sent to the larger ports and had certificated men brought to the lesser port, nor could the ship leave the latter port until this had been done. In this connection it should be remembered that under existing law a seaman deserting an American ship in an American port can do so with impunity other than the loss of his effects and accrued wages. The embarrassment resulting from such a state of affairs can be imagined should this occur just immediately prior to the ship's scheduled hour of departure, when she would have a large number of passengers and a highly perishable cargo aboard. It would, of course, be contrary to human nature to expect that a strike would occur at any other time should such a contingency be possible. To avoid trouble of this kind the only recourse for the owner would be to concede the demands of the men upon all occasions, regardless of how preposterous these might be.

As to the requirement of section 12 prohibiting all classes of vessels carrying passengers for hire, except those navigating rivers and harbors exclusively, to depart from a port with less than two men of the rating of able seaman who shall be drilled in the handling and lowering

of lifeboats, etc. To comply with this would mean that all deck crews on passenger steamers would have to be doubled. The disengaging of the lifeboat, falls, and all that is concerned with this, under our present statutes, is required to be done automatically, with gear taking care of itself as soon as the lifeboat touches the water. For this reason the skill necessary to properly handle lifeboats to-day is of an elementary grade, taking but a few lessons and some slight practice to acquire. Besides, the duties performed aboard a modern steamer by a deck hand do not give him any greater facility in the handling of lifeboats than those of the crews of other departments. Mr. Furuseth, the sponsor of this bill, frankly admitted at the hearings that a deck hand on the *Lusitania* or the *Mauretania* never learned how to handle a lifeboat (p. 839), and Capt. Hibberd testified that he had made 13 trips around Cape Horn in sailing ships without seeing the crew put a boat overboard more than once. There is not a thing that a deck hand does during the course of his daily routine work that fits him in any peculiar sense for handling a lifeboat. So that there is no particular purpose to be served, so far as safety of life at sea is concerned, in confining this work to the men of the deck department. Most of the men in the engine-room and fire-room crews, and even many in the steward department, are as competent, if not more so, to undertake this work. The proper test should be competency, without regard to the department of a ship a man is engaged in, and not any three years' term of service on deck.

We feel that the requirement that two skilled lifeboat men for each lifeboat carried on a ship is entirely necessary and proper, but submit that these men should be selected from all departments of the ship, that they shall be able to understand the orders given to them, that they be required to demonstrate in the presence and to the satisfaction of the local inspector, by a practical test, that they are competent to swing out, lower, detach from boat falls, hoist or assist in hoisting, handle or assist in handling a steamship's lifeboat, and to efficiently use one of such boat's oars. This seems to us to be more conducive to safety of life aboard a passenger ship than the arbitrary method proposed by the present bill. This would also present the opportunity to the young men raised in the rivers and harbors of the seaboard, who should for some reason prefer to enter the engine department rather than the deck department, to qualify as lifeboat men.

If the present bill becomes law, this requirement as to the two lifeboat men for each lifeboat being selected from the deck hands alone would completely nullify the other part of the same section permitting 35 per cent of the deck hands to be less than the rating of able seamen, for the reason that the number of lifeboats now required by law to be carried on all steamers carrying passengers is such that two men of the rating of able seamen to each lifeboat would be equivalent to the total number of her deck crew, instead of but 65 per cent. For example, a steamer carrying a deck crew of 12 men, with 12 lifeboats, that is six lifeboats on each side of the ship, would require a deck crew of 24 men, all of whom, according to this bill, would have to be able seamen. There would then be no ordinary seamen aboard from whom to recruit the able seamen, and in addition the regular deck crew would have been doubled.

SECTION ONE.

In regard to that part of section 1 requiring that the deck hands shall while at sea be divided into at least two watches and the firemen into at least three watches, which shall be kept on duty alternately for the purpose of ordinary work incident to the sailing and management of the vessel.

So far as the deck hands are concerned, this is an arrangement which obtained on sailing ships, spontaneously developed and admirably adapted to her peculiar circumstances of the long voyage to all parts of the world, sometimes being protracted to two and three years, in that it contrived to relieve the monotony by its frequent changes of work periods. It would be ridiculously unsuited to many of our steamship lines to whom this bill applies, as, for example, the Sandy Hook steamers and the Coney Island boats on the Hudson River and New York Bay. The former runs entirely in the daytime and the latter almost entirely so. It would be extremely disadvantageous to such line as the Old Dominion on the Atlantic coast and the Pacific Navigation Co. on the Pacific coast, each having a run of 18 hours, partly in the daytime and partly at night, hardly ever without sight of the coast line, and with no dangerous headlands on either route. The steamers of these lines work their deck hands, both in port and while at sea, during the daytime, nine hours constituting a day's work. Both are large passenger carriers, and the passengers object to the continuance of work while they seek sleep. The deck hands themselves are violently opposed to the change for the reasons that as they are in port every second night such an arrangement would necessitate their accustoming themselves to alternate short periods of sleep while performing their duties at sea every second day and to a full night's sleep every other night while in port; it would also mean for them 12 hours on duty while at sea, in the aggregate, instead of nine as at present.

The steamship company must, to hold it passenger traffic as against railroad competition, where no disturbance of sleep occurs, have its deck cleaning and other deck work performed in the daytime, which can only be done by the present number of men carried by them, and the inevitable result, if this bill becomes law, will be to compel each of these steamers to carry a double crew of deck hands, with its accompanying increased cost of operation and loss of space necessary to accommodate them now profitably used for freight storage, with no apparent advantage to the men actually necessary to do the work of the ship. To enforce such a distribution of hours of labor would be particularly burdensome on those lines making frequent landings at small ports along the coasts where the volume of freight and passengers handled is not large enough to attract a sufficient supply of shore forces to load and discharge the vessel promptly and where the steamer must, to obviate this disability, carry additional deck hands for this purpose only one-half of whom would be available, and probably at the time when most of the landings were to be made, while the other half of those deck hands would be on duty when no landings were made. These lines also would be compelled to double their crews to adjust themselves to this arrangement as one-half of their present force would not be able to take care of the necessary work at the landings with the requisite rapidity to enable the steamer to fulfill *her schedule requirements*.

The ostensible reason advanced for this distribution of hours of labor is that it would insure increased protection for the safety of life at sea. In the first place, the loss of life at sea on such routes is almost nil. The Old Dominion Steamship Co. during its 45 years of operation, carrying several millions of passengers, has never lost a single passenger at sea, and its record is by no means unique in this respect among our coastwise fleets. The companies whose vessels work their deck crews during the daytime have the following men on duty on deck during the night: The officer of the watch, either one or two lookouts, at least one quartermaster, a deck watchman, and a saloon watchman, in addition to the waiter in the saloon and the fire-room and engine-room crews.

We contend that these are all that are necessary for the safety of life aboard vessels of this size and the dangers to be apprehended in the waters wherein they trade. An additional 12 men stamping around the ship, with no duties to perform, would be not only an annoyance to the passengers, but would also be in the way of each other and the regular men now engaged on deck at nighttime, unless housed in some room waiting for an emergency which so far has never arisen in 45 years. Even if under cover, it can readily be understood how difficult it would be to keep them awake for this supposititious emergency. Our experience has been that with the deck hands in their sleeping quarters, assembled in one particular part of the ship where they can be gotten at all at one time, instead of having to be hunted up from all parts of the ship, the safety of our passengers is better taken care of than it could be by the proposed arrangement. This is precisely the policy in vogue in all the fire departments of our large cities, and no one ever heard of an army bivouacked during a war having one-half of its forces kept awake during the night to prevent a sudden surprise by the enemy.

Most of the lines trading on the Atlantic and the Pacific coast have always worked the four hours on and eight hours off continuous arrangement for their fireroom and engine-room crews, and are therefore already complying with the requirements of this section of the bill while at sea, and this rule is invariable on all oversea routes. The conditions of trade on the Great Lakes, however, are so entirely different from those on the oceans that they find it more advantageous to all concerned to work their fireroom crews on the six hours on and six hours off principle at sea, with the strict understanding that in no case except that of disaster shall this limit be exceeded. They have, moreover, either actual or potential Canadian competition to overcome, with the smaller crew requirements and lower rates of wages prevailing on these foreign lines. The type of vessel on the Lakes working the six hours on and six hours off arrangement in their fireroom crews are of such construction as to permit of better and larger accommodations for their crews than are possible on other types of American steamers, as they are largely carriers of crude raw material which can only be stowed in the ship's hold, leaving the whole run of the upper part of the ship for the crew's quarters, and the rates of wages paid are on a parity with the rates paid on other American routes despite the fact that throughout the territory served by them wages generally for all kinds of labor are not so high as in other sections of the country, all of which are compensating advantages for the disparity in hours of labor. Besides,

many of these vessels are a large part of their time in port awaiting facilities to load and discharge, for which reason they utilize the services of their coal passers as deck hands in port, as otherwise there would be nothing for them to do at such times. In other words, they act as coal passers at sea and as deck hands when in port, ample time being allowed each man before going from the one department to the other to adjust themselves to the change of temperature.

All of these variations in service regulations demonstrate that it is impossible to make any hard and fast rule for the division of hours of labor either in the deck department or the fireroom department without unduly interfering with the efficient conduct of business. That the men employed on the steamers whose routes would be affected by the passage of this bill are entirely satisfied with their conditions, when not artificially stimulated to discontent by outsiders, has been testified to by both employers and employees themselves.

While considering this matter of the number of the crew necessary for the safety of life at sea, it is worth remembering, having been admitted at the hearings, that the crews designated to man American ships by the existing rules of the local inspectors exceed by at least 30 per cent those required by the board of trade regulations on British steamers. The liability of an American shipowner in the matter of undermanning is strictly defined by law, in addition to which the decisions of courts of admiralty have in like manner strictly defined what must be fulfilled, before the shipowner can avail himself of the benefit of the limited liability law or of the exemptions of the Harter Act, enacted to keep American shipping from being at a disadvantage with foreign competition. These are that the shipowner must provide a crew adequate in number and competent for their duties, and it is a question of fact for the court to decide whether or not the crew is sufficient, without regard to the number specified by the local inspectors. Nor would the mere fact that a man had been given a certificate as an able seaman by the United States Government under the terms prescribed by this bill be in itself evidence that he was competent to discharge his duties in the particular ship involved. The owner must assume the hazard and responsibility of this man being competent. The certificate may be conclusive in favor of the man, but it would not be so as to the owner. The court can say that a vessel is not seaworthy if she does not carry a proper complement of competent men for such a ship in such a trade. Furthermore, the master's license is in jeopardy of being forfeited should the court decide, when disaster occurs, that the crew is insufficient or incompetent.

Thus far I have refrained from commenting on the increased cost of operation of steamers incident to the increase of crews by the adoption of the 65 per cent able-seaman proposition, or the two men from the deck department for each lifeboat carried, or the watch-and-watch distribution of hours of labor of the deck crews. The arguments already advanced in objection to these propositions seem to me adequate to prove their futility. It is, nevertheless, entirely proper and consistent that the actual working out of the matter from this point of view be submitted that it may be thoroughly appreciated. The doubling of the number of deck hands would mean, at the most conservative estimate, on a ship of the type involved, about \$6,000

per annum. In order to avoid the barest suspicion of any intention to exaggerate in the matter, suppose we take one of the ships of the Old Dominion Line, with a crew of 10 deck hands, where the wages are lower than on the Pacific coast or the Lakes, owing to the easier conditions of work involved; with 12 lifeboats she would have to have 24 certificated deck hands, or an increase of 14 men. At the rate of \$30 per month wages, and adding the cost of maintenance (not to mention the loss of freight space to be deducted for their accommodation), this would aggregate considerably over \$500 per month, or \$6,000 per annum for each ship of the line. In the case of some lines, such as the Eastern Steamship Company, which, during four months of the year when the crops of New England are being transported, the increased cost would be \$13,972 per ship per month for wages alone. Mr. Furuseth very frankly avowed (pages 848-849 of the record of the hearings) that as a consequence of this contemplated legislation wages would be increased, his statement being that very probably the men would demand \$10 per month increase. (Our information is that a much higher increase will be insisted upon.) Taking his estimate as correct, this would mean \$10 additional for the full complement of 24 men, or \$240 additional per month, raising the complete total to \$8,880 per annum per ship. If wages be increased to the deck hands, of course the higher grades of labor will not be content to remain at rates which do not adequately reflect their superior services, and the total increase throughout the ship will be enormous.

We do not wish to be understood as objecting to increasing wages per se, if we are in position, as is the case in industrial enterprises, to shift the increased cost to the consumer, whom in justice we should expect to bear this burden; but, unfortunately, this can not be done in our case. All our coastwise lines are paralleled by railroads throughout most of the territory served by them, and to hold any share of the passenger or freight traffic as against the railroads it is absolutely necessary that our rates be placed at figures lower than theirs. While it is true the steamer has no roadbed to maintain, it has a much more costly unit of earning power in the modern steamer, ranging in value from \$450,000 for the freight steamer to \$2,000,000 for the express passenger vessel, and it must meet the cost of marine insurance to cover its water hazards. On even terms of rates the public prefers at all times to patronize the railroads. There must be a margin in favor of water rates. We can not go to the railroads and say that owing to legislation our operating expenses have been increased to such an extent that it will be necessary for them to increase their rates, to preserve the differential in our favor necessary to enable us to retain our share of the traffic. Nor can the railroads increase their rates, however anxious they might be to do so on the traffic now controlled by them, as the Interstate Commerce Commission has emphatically declared that the absence of water competition previously existing is no justification for increasing railroad rates. Neither can the steamship company increase its rates to any part of its territory not immediately competitive with the railroads, as to do so would be to throw the business to the sailing ship. These sailing ships already have the watch-and-watch principle in operation, as it is no inconvenience to them to have the work of the ship divided up in this manner, so that this legislation would not mean any increase in

cost of operation to them. So that the steamship will be by this hostile legislation between the upper and nether millstones, and really how this increase in cost of operation is to be met I confess to be at a loss to comprehend. Furthermore, it has hitherto been axiomatic that water transportation is the only safeguard the public has as a substitute for high railroad rates. If this bill becomes law this axiom will have become a thing of the past.

As to the issuance of these certificates to deck hands by the board of local inspectors of steamboats. It is provided that they shall be furnished an applicant on making an affidavit that he has been three years at sea. With such an enormous number of men, whose roving propensities are proverbial, it would be utterly impossible for the local inspectors, with any conceivable machinery of supervision, to prevent wholesale perjury being perpetrated in procuring them and subsequent wholesale fraudulent traffic in them. The gravity of such a state of affairs can not be overestimated. You will observe that it is on affidavit alone that this certificate is to be granted. With every disposition to be fair, impartial, and even charitable in the consideration of this phase of the bill, I can not escape the conclusion that such an arrangement would put into the hands of the labor union officials a weapon which they would be tempted to use when necessary to recruit their membership. During the hearings on this bill one of the labor leaders openly avowed that while a strike was in process on the Lakes he himself had issued 2,000 union cards of membership to young men from all parts of the adjacent country, without payment of any initiation fee, enabling them to qualify as competent deck hands (p. 587).

As to that part of section 12 making it obligatory that not less than 75 per cent of the crews in all departments of a ship, deck, engine, and steward, shall be able to understand an order given by the officers of the vessel, this to apply to vessels of all nationalities clearing from American ports. This requirement is already being fulfilled on our coastwise fleets, if the language test will be confined to nautical terms, as almost none of their crews are entirely ignorant of English, though a few do not speak it fluently. It does militate against our trans-Pacific ships substantially. At present there are but six very large steamers trading between our Pacific ports and the Orient. These vessels are in fierce competition with two Japanese and one British line of steamers. They carry American officers, with alien crews in each department. It would be impossible to operate them otherwise. The petty officers among the crews understand the English language and are able, without any difficulty, to communicate the orders given them by the American officers. To fully appreciate this condition it must be clearly understood that on no ships are the orders given by the officers to the seamen individually or direct, but are communicated to a petty officer who, in turn, communicates them to the men under him. It would be a physical impossibility on any large steamer to undertake to give an order which would be heard and obeyed by all of the crew wherever located on a ship. The orders must be conveyed from the officer in charge to the man coming immediately in contact with the crew. There is not the slightest difficulty in the transmission of the orders in this manner, either where all the men speak the language of the officers or where the petty officer alone does so, provided the petty officer is bilingual.

Almost the entire internal commerce of China is carried on by small sailing craft throughout the entire length of its very large rivers. More people live on the water in China than in any other country in the world, and have been doing so for countless centuries. There can be no question as to the competency of the Chinamen for this calling. To insist upon applying the language test to 75 per cent of the crew would prevent their being available as seamen on our remaining six steamers in the foreign trade on the Pacific, and would oblige the owners to put them under a foreign flag with foreign officers, as they could not for a moment operate such ships on a paying basis with the Japanese lines already in active competition with them. The difference in the wages cost would be insurmountable, and could not be counterbalanced by any possible advantage of superior organization, which is all that permits their existence with their present handicap of higher cost in the wages of American officers particularly. This would involve a direct loss to the American Pacific ports in the entire wages of officers and engineers, and the supplies purchased there, for one steamer alone, of \$141,000 per annum, and gross earnings of \$451,000 for freight and passengers. This ship is the largest freight and passenger carrier in the world, running between Puget Sound and Asiatic ports. The increase of the wages for this ship, if the Chinese are to be supplanted by English-speaking crews, would be \$11,000 per month or \$132,000 per annum, without considering the increase in the cost of food supplies. In the case of the British line referred to there would not be this difficulty, as they could ship Chinese engineer officers from Hongkong, a British port, and comply with their own and our law, Great Britain in her navigation laws realizing the necessity of exceptional legislation to exceptional circumstances.

The contention made in support of this legislation that by giving the right to a seaman to break his contract of service aboard a foreign ship when in an American port (provided for in sec. 15 of the bill) these seamen would be in a position to demand that the rates of wages paid on American vessels at such ports shall be paid them, and thereby equalize the cost of operation of all vessels in the same trade regardless of nationality, would not apply in the case of these Japanese vessels on the Pacific coast, for the reason that the Japanese seaman, by virtue of the convention entered into between Japan and the United States, can not land in this country.

Not only so, but as soon as these American ships are displaced by Japanese steamers there will be no effective competition and rates will undoubtedly be increased on all American products exported to the Orient, all of which will redound to the benefit of Japan and the loss to the United States, for no other than a sentimental reason.

It is true that the British navigation law has a language test, but it is so carefully devised that it works no hardship to any interest which can not otherwise compete with foreign shipping and specifically provides that no discrimination shall be made against British subjects who do not speak English. It is for this reason that notwithstanding this language test we to-day find 80,000 Lascars at present employed on British merchant ships with many thousands of Chinamen, all claiming to be natives of the British possessions in the Orient.

The irresistible conclusion to be reached is that if this provision becomes law you will at once legislate off the ocean the few remaining

vessels now trading from the American Pacific ports to the East with no compensating advantage to American seamen. The Japanese steamers could, of course, comply with the law, as their seamen speak the same language as the officers.

On the Atlantic coast, our steamers trading to foreign countries, such as Cuba and South America, enter into competition with European steamship lines alone, as those Spanish-speaking nations are not yet far enough developed industrially or commercially to be a factor in the situation. To me it speaks volumes as a tribute to our capacity for mercantile organization that despite the handicaps of excessive wage costs, increased crew requirements, higher cost of construction, supplies, etc., to which American ships trading on the Atlantic and Pacific are subjected, they are yet able to make such a respectable showing as they do. By the provisions of the Panama bill, recently enacted, foreign-built ships not more than 5 years old are permitted to take out American registry; but of what earthly avail is such a law if by subsequent legislation you make it impossible for them to be profitably operated under the American flag? This seems to be a contradiction in mercantile marine legislation.

WAGES.

As to wages paid American crews. These are admittedly higher, in all departments of a ship, than on the vessels of any other nation in the world, and the standard of living furnished is well known to surpass anything prevailing elsewhere. To avoid prolixity, suppose we confine ourselves to a consideration of the wages paid the deck hands and firemen, as I do not understand that any objection has been made to the rates of the operatives in any of the other departments.

On the Pacific the coastwise lines pay the deckhands \$50 per month and board, with 50 cents an hour overtime for all over nine hours per day; and the firemen \$55 per month and board. The men in the deck department average from \$73.50 to \$90 per month (owing to the overtime allowance) and board in addition (see pp. 60 and 73 of the record of hearings).

On the Atlantic coast the rates are \$30 to \$35 a month for deckhands, and \$40 to \$45 a month for firemen, with board in addition.

On the Great Lakes the rates are \$31.50 to \$40 for deckhands, and from \$52.50 to \$65 for firemen, with board in addition (p. 363).

Five meals per day are furnished on all ships, in all of which any member of the crew can participate, three of them being full and substantial meals and the others merely coffee and sandwiches. I have merely to refer you to the menu card given on page 73 of the record of hearings as an indication of the assortment of food comprised in these meals. On most of the freight ships on the lakes all the ship's crew, including the captain, have the same food and equal quantities allowed, and most of them eat in the same dining room, though there are separate tables set apart for the officers. There is an abundance of food at all times, of excellent quality, on every American ship afloat. In the freight ships on the Lakes the crew's quarters are the finest in the world, well heated and lighted, while an ample supply of books and a reading room is provided. It is a remarkable fact that not a single word of disparagement as to these

quarters or as to the quantity and quality of the food supplied the crews was uttered during the whole course of the proceedings on this bill. And this despite the general outcry all over the country against the increased cost of living, which has been borne entirely by the owners.

The differences in the wage scales of the various routes are accountable to the fact that wages generally differ to a corresponding extent in each section of the country from another. The varying housing accommodations are to be accounted for by the varying type of ship, the trade in which she is engaged, the cargoes she carries, the climate and other considerations.

The food furnished aboard American merchant ships is much better than the average workman ashore can afford to indulge in for himself or his family. The wages paid exceed those of any kind of unskilled labor ashore in the same locality, if the cost of board and accommodations be added thereto, and compare very favorably with the wages paid the shore employees of the same line. Besides, the seaman has more constant employment. There is no deduction for time lost on account of sickness during the period of his term of engagement. When trade is dull a ship must carry the same complement of crew as when she is fully loaded.

As a concrete example for comparison, is there any teamster in the country whose wages are equal to those of the lowest paid of the crews of American ships, or whose hours are shorter or conditions of labor less exacting, or who have as little responsibility. It is idle to say that the men are overworked on these routes to which the six-hour period of a watch is in vogue on the Lakes. Every owner of a ship is fully sensible that it is economically unprofitable to overwork the crews, as then the best service can not be gotten from them. It is simply a matter of differentiation of conditions on the different routes.

As an evidence of the good conditions prevailing aboard these large freight steamers on the Lakes, and the thrifty class of men attracted to the work, it is only necessary to allude to the fact that during the past year in one ship alone the savings of the crew lodged with the master for deposit in bank amounted to \$4,577, and the total on the Lake fleet of the Pittsburgh Steamship Co., employing 3,000 men on 116 ships, aggregated \$104,015 for the year, not including sums transmitted by the men themselves.

OPPORTUNITIES FOR PROMOTION.

During the hearings it was repeatedly offered in evidence that all of the deck officers, including the captains, of the merchant steamers of the United States had, with rare exceptions, risen from the forecabin, and that the large majority of the engineer officers had entered the service in the fireroom. The principle of seniority in promotion aboard ships is more rigorously followed than in any other occupation in the world. Any other policy would create consternation and be quickly resented.

Not only so, but if a man has been at sea a few years and has not attained an officer's position, and he should desire to find work ashore his prospects are better than those of the average unskilled workman. He is usually much in demand around the docks and wharves in all kinds of stevedore work, where his knowledge is of advantage to him.

Moreover, in the New York Harbor alone there are over 5,000 lighter and barge men who have been seamen, earning an average wage of \$18 per week, in which positions they can be at home almost every night. (See page 408 of the record of hearings.)

RULES OF LOCAL INSPECTORS OF STEAMBOATS.

We would submit that, owing to the complexity of the matters with which this bill seeks to deal, it is in the highest degree advisable, so that no injustice be done to the differing conditions at interest, that the Department of Commerce and Labor, through the Board of Supervising Inspectors and the local inspectors, are much better qualified to regulate them than by general legislation. Regulations promulgated by them, if found impracticable, can be changed with little delay and before much injury has ensued, whereas to change an injurious statute is most often a matter of great difficulty. The local inspectors in each district, besides being practical men, know the character of the ship, her service, the waters in which she is engaged, and all other particulars in regard to her. In these days of rapidly changing conditions a more satisfactory adjustment to all concerned can be made. The laws of England, France, and Germany allow for just such exceptions as have been indicated. Are we to be the only country in the world which shall deny or ignore the necessity for this?

Thus far I have dealt with the more conspicuous vices of this bill. As I have before indicated, there are other features of it which should not become operative. They are as follows:

SECTION ONE.

This section prohibits the performance of unnecessary work on Sundays or legal holidays. Just what the term "legal holidays" would be held to cover I am at a loss to understand, as the Federal Government has no power to declare a legal holiday, and dispute may arise as to this in some parts, particularly abroad. The definition as to what will constitute unnecessary work is at all times open to controversy, and has given rise to annoyances on several occasions when an agreement to this effect has been consummated between the owners and the labor unions.

SECTION TWO.

The requirements as to "clean" washing places is not objectionable to us provided we would not be held responsible for the penalty prescribed if the men themselves were the cause of the uncleanness after having been put in a cleanly condition by us. This should be amended to cover just such a state of affairs, as we have had experience in the direction indicated.

SECTION FOUR.

This would permit a majority of the crew, without the concurrence of an officer, to tie up a valuable ship, whose daily expenses of all kinds are enormous, at the whim of some totally irresponsible seamen having influence over the crew, without any adequate remedy if the complaint is found to be without validity. We do not think it is just that we should be subjected to such a hazardous contingency.

SECTION EIGHT.

We contend that it is unfair that the ship should be held responsible for the omission or neglect of the master to detain an officer who has committed a punishable offense on a seaman. In no other relation of life is an employer held responsible in damages for the crimes of an official committed upon a subordinate. The practical effect of this would be that the ship would in all such cases be held and no attempt made to arrest or prosecute the real offender.

NAVIGATION LAWS.

We think this a fitting opportunity to suggest that the time has arrived when it is necessary that a thorough revision of our whole navigation laws be made, and we would recommend that Congress at an early date arrange for the appointment of a commission of experts and representatives of all interests who shall personally inspect the various trades and routes, so that our laws may be better adjusted to modern conditions.

Respectfully submitted.

W. M. BRITTAIN,
Secretary American Steamship Association.

[Telegrams.]

SEATTLE, WASH., *December 13, 1912.*

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.:

We are firmly convinced that seamen's bill in its present form will work serious hardship on shipping of Puget Sound and Pacific coast, and, as interests in this section of country find it impossible to make further representations before holidays, respectfully request continuation of hearing until after that time.

PUGET SOUND SHIPPING ASSOCIATION.

SEATTLE, WASH., *December 13, 1912.*

Senator KNUTE NELSON,
649 East Capitol Street, Washington, D. C.:

Northwest is desirous sending important witness Washington protest seaman's bill; unable have him reach there until after holidays; earnestly request you as representative of Northwest use your best efforts continue committee hearing until after New Year.

J. C. FORD.

SEATTLE, WASH., *December 13, 1912.*

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.:

Seattle Chamber of Commerce, representing 1,800 business men this city and Puget Sound, including all substantial shipping interests centering here, urgently request continuation of hearing on seamen's bill until after holidays. Impossible this account to have proper representation before your committee prior to this time.

SEATTLE CHAMBER OF COMMERCE.

SEATTLE, WASH., *December 12, 1912.*

KNUTE NELSON,
Senator, Washington, D. C.

After further investigation we are more firmly convinced than ever that the Wilson bill will be very injurious to the shipping on this coast, and we would like an opportunity to be heard, and would respectfully request continuation of hearings until after the holidays, as it is impossible for us to have delegates at Washington until then.

ALASKA PACIFIC STEAMSHIP CO.

SEATTLE, WASH., *December 12, 1912.*

KNUTE NELSON,
Washington, D. C.

We would respectfully request a continuation of the hearings on the Wilson bill until after the Christmas holidays, as it is impossible for the shipping interests of the Northwest to have a delegation in Washington until then, and it is our opinion that this bill in its present form will be a severe blow to the shipping of the Pacific coast.

ALASKA COAST CO.

SEATTLE, WASH., *December 12, 1912.*

Senator KNUTE NELSON,
Washington, D. C.

My company interests will be so seriously handicapped if bill H. R. 23673 passes that it will practically amount to confiscation of our property. We are suffering already from keen competition from Canadian Pacific, Grand Trunk, and other railway and privately-owned Canadian vessels built in England for about half price we have invested in same class steamer. Before committee takes action I earnestly request that my company have a hearing; can send representative on shortly after holidays.

JOSHUA GREEN,
President Inland Navigation Co.





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